

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS
July 9, 2012

The Board of Commissioners of Lower Pottsgrove Township held its regularly scheduled meeting on Monday, July 9, 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: Jonathan H. Spadt, President; Bruce L. Foltz, Vice President; Michael McGroarty and Stephen M. Klotz.

R. Kurtz Holloway, Solicitor; Rodney P. Hawthorne, Manager; Alyson E. Elliott, Assistant Manager; Michael A. Foltz, Chief of Police; Jennifer Marsteller, Treasurer/Tax Collector; Scott Exley and Chad Camburn, Township Engineers; Keith Place, Zoning Officer/Director of Code Enforcement; Chris Wilcox, Deputy Emergency Management Coordinator and Michele Cappelletti, Secretary.

Commissioner James D. Kaiser and Lew Babel, Fire Marshal were absent from the meeting.

APPOINTMENT OF MICHAEL A. FOLTZ AS CHIEF OF POLICE

Resolution No. 941—Commissioner Klotz made a motion to appoint Acting Chief of Police Lt. Michael A. Foltz as Chief of Police and Right to Know Officer of the Lower Pottsgrove Township Police Department, effective immediately. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

The Honorable Edward C. Kropp, Sr., Magisterial District 38-1-12, swore in Michael A. Foltz as Chief of Police of Lower Pottsgrove Township.

Commissioner Spadt introduced Montgomery County Commissioner Bruce L. Castor, Jr. and expressed his appreciation to Commissioner Castor for attending.

Commissioner Spadt said he has received a lot of positive feedback about Chief Foltz from residents and the constant theme is how genuine and caring he is. He said this is the highest compliment and offered Chief Foltz his congratulations.

Commissioner McGroarty said this is a great night for Chief Foltz and the Township and a superb individual is leading the most visible department of the Township. Commissioner McGroarty congratulated Chief Foltz and thanked him for his service.

Commissioner Klotz said Chief Foltz's appointment is like the Super Bowl for him, since he was raised in the Township, became an officer and is now the Chief of Police. He said we are the lucky ones because Chief Foltz has stayed in the Township. Commissioner Klotz offered congratulations on his appointment.

Commissioner Foltz said he stepped aside during all negotiations and discussions pertaining to the selection of the Police Chief. Speaking as a father, Commissioner Foltz said he was very

proud of Michael's achievement; speaking as a commissioner, he said he was not going to be easy on him. Commissioner Bruce Foltz then presented Chief Michael A. Foltz with his badge.

Commissioner Spadt presented Commissioner Bruce Foltz with a certificate from the Pennsylvania State Association of Township Supervisors (PSATS) recognizing his 16 years serving the community of Lower Pottsgrove Township as a member of the Board of Commissioners.

Montgomery County Commissioner Bruce Castor, in his 28th year with Montgomery County, is the Chairman of the Department of Public Safety. He said it is hard to believe that a small community in the western part of Montgomery County has consistently produced high quality, modern, capable law enforcement officers. Commissioner Castor said law enforcement is a high tech, intricate business but it still comes down to people, one on one, to resolve disputes. He said Lower Pottsgrove always has been a gem and he was proud to be invited tonight. He commended the Board of Commissioners for maintaining excellence in the Police Department.

Chief Foltz acknowledged many of the people who influenced him along the way. He said it was a great honor and thanked his family for their support. Chief Foltz also recognized the patrol staff and the support given to him by Sgt. Walters and Sgt. Greenwood. He thanked Chief Mike Shade for preparing him for the position and Tom Liott, who got him started in police work. Thomas Hyers, Chief of Springettsbury Township in York County, was present and congratulated Chief Foltz on behalf of the 244th Class of the National Academy. Chief Foltz was also grateful to the first police chief of the Township, Harry Chrusch, for being a big influence in his life.

COMMENTS FROM VISITORS:

Chris Wilcox, White Pine Lane, congratulated Chief Foltz on his appointment.

APPROVAL OF MINUTES:

Commissioner Klotz made a motion to approve the meeting minutes of the June 21, 2012 Board of Commissioners meeting. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

PRESENTATION:

Chief Foltz presented Officer Matthew Meitzler with a Certificate of Appreciation from the State of Pennsylvania for his service in the Pennsylvania Aggressive Driver Enforcement Program.

REPORTS:

Police

Chief Foltz reported that there were 1,093 reported calls for service, which included 121 traffic violations and 81 criminal violations. He highlighted the following from his report:

1. **Calls for Service/Departmental Activities:** Ofc. Matthew Meitzler and Ofc. Chris DiPiano were recognized by MADD for their 2011 DUI enforcement efforts.
2. **Training:** There was a considerable amount of training during the month. All training classes and the officers who attended are listed in the written report.
3. **Fleet:**
 - a. Both new cars are now in service.

- b. Dodge Charger is being upfitted.
- c. **2006 Ford Crown Victoria**—Chief Foltz requested that the Board consider approving Resolution No. 945, authorizing the decommissioned 2006 Ford Crown Victoria to be sold on Municibid.

Commissioner Klotz made a motion to approve Resolution No. 945, authorizing the auction of a 2006 Ford Crown Victoria police vehicle through Municibid, with a reserve price of \$1,000. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

4. **Miscellaneous:**

- a. PEMA is reducing the funding to the County for 2013. As a result, each police department may be responsible for its MDC connectivity fees for 2013. Chief Foltz estimated that 3 of the 7 MDCs will be dropped and recommended that \$50 per unit per month be earmarked in the 2013 budget (\$2,500)

Commissioner Foltz has gotten complaints from residents about a vehicle parking below the “No Parking” signs on Hause Avenue, between High St. and King St. Chief Foltz said the police can talk to the resident first, then conduct a traffic study, if necessary.

Commissioner Klotz asked about the results of a recent DUI checkpoint. Chief Foltz reported that there were 3 DUIs and 2 of the 3 were from the same location. There were at least 20 other citations issued during that detail.

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

Emergency Management

Chief Foltz reported the following:

1. **EOC Activations**—There were no EOC activations during June 2012.
2. **Severe Weather**—There was some limited response, notifications and monitoring due to severe weather conditions.
3. **Relay for Life**—Deputy EMC Chris Wilcox monitored this event.
4. **Training**—No formal training was conducted.
5. **Deputy EMC Chris Wilcox** received his Certificate of Fire Science from Montgomery County Community College and is working on his degree.
6. **Sign**—The Township Manager contacted Lamar Signs and we will start utilizing the sign along Rt. 422 with a few non-emergency public service announcements.

Fire Marshal

Mr. Babel was absent from the meeting. Commissioner Foltz reported the following statistics from the Fire Marshal’s report:

Station	Total Calls	Total Hrs. of Service	Total Personnel Hrs.	Total Personnel Training Hrs.	Total Fundraising Hrs.
	July 2012	July 2012	July 2012	July 2012	July 2012
Sanatoga (Station 58)	18	14	102	290	Not provided
Ringing Hill (Station 59)	21	17	Not provided	64	241

(Hours are approximate)

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

C.O.G.—No report.

Engineering

1. **Ravensclaw:** Mr. Camburn developed an updated punchlist for Ravensclaw.
2. **Business Friendly Memo:** As a follow up to discussion that occurred at the May 2, 2012 Board of Commissioners meeting, Mr. Exley and Mr. Camburn provided the Board with a detailed memo on business friendly practices. The memo outlines the Township's Subdivision/Land Development process, which is typical of Subdivision/Land Development procedures followed by most or all municipalities in our region.
3. **MS4**—Mr. Camburn provided the Board with a memo on the progress of the NPDES MS4 General Permit (PAG-13). He requested that the Commissioners review the Draft Strategy attached to the memo and get back to him, Mr. Hawthorne or Ms. Elliott with any questions or comments.

Mr. Camburn reported that Bursich Associates is also working with West Pottsgrove and Upper Providence on the MS4 permit, so Lower Pottsgrove is cost-sharing the engineering fees with those municipalities.

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

Solicitor

Solicitor Holloway presented the following resolutions for the Board's consideration:

Resolution No. 947/Internet Policy: The Solicitor, Manager and Assistant Manager revised the Township's existing Internet Policy to bring it up to current legal standards and practices. Resolution No. 947 outlines the revised policy and procedures.

Resolution No. 946/Township Email Accounts: Solicitor Holloway also drafted a companion resolution, No. 946, authorizing the creation of Township email accounts for the Commissioners.

This would allow Board members to conduct Township business via email without using their own personal or business accounts.

Commissioner Klotz made a motion to approve **Resolution No. 946**, Authorizing and Directing Each Commissioner to Be Assigned a Township Email Address and To Utilize Such Address for All Official Township Email Communications and **Resolution No. 947** Revising – Conduct Policies – Email, Internet and Other Electronic Communications to the Personnel Policies Manual of Lower Pottsgrove Township. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Parks and Recreation—Ms. Elliott reported the following:

1. The Parks and Recreation Board did not meet last month.
2. **Fishing Rodeo:** Ms. Elliott acknowledged that this event, which was held on June 16, 2012, was sponsored by Wells, Hoffman, Holloway and Stauffer. She thanked Solicitor Holloway for his support.
3. **Summer Concerts:** Exelon is sponsoring the 2012 Summer Concert Series, which kicked off on June 24. The 78th Army Band will be performing on Wednesday, July 11 at 7:00 p.m. The 730 Club will be performing on Sunday, July 15 at 6:00 p.m.

Pottstown Metropolitan Regional Planning Commission—Ms. Elliott gave an update on regional recreation. Susan Landis will put a proposal together and will set up a meeting a meeting with Board members and key staff.

Facebook—With the passage of the email policy, Ms. Elliott asked the Board to reaffirm authorization of a Facebook page to be used for Parks and Recreation, Emergency Management and to announce key events in the Township. The Board supported the creation of a Facebook page for the Township.

SUBDIVISION AND LAND DEVELOPMENT:

Cilluffo (Bella Italia)—Ms. Elliott reported that the Cilluffo project has encountered a problem with the placement of a utility pole near the driveway. She has been working with Chad Camburn and PennDOT on this issue. Solicitor Holloway advised that because changes have been made, Cilluffo has to re-record the plan. He asked the Board if they want to see the new plan before it is recorded. The Commissioners agreed that they do want to see the revised plan.

CORRESPONDENCE AND INFORMATION:

The following information was included in the Commissioners packets:

1. Memo from Chad Camburn. Subject: 2209 East High Street (Bella Italia)
2. Zoning Hearing Applications scheduled to be heard on July 17, 2012 at 5:00 p.m. (Please note starting time change to accommodate ZHB members' schedules)
3. 2012 Summer Concert Series Schedule
4. Our View: Township sets example with donation for 4th, published in the Mercury on June 28, 2012
5. Letter from Elizabeth Murphy, Vice President, Governmental & External Affairs, PECO. Subject: New Meters
6. Notice of Meeting. Subject: Honey Bees

OLD BUSINESS:

Equipment Rental and Labor Agreement—Mr. Hawthorne reported that at 2:15 p.m. on June 29, 2012, the Township opened and read aloud sealed bids that were received for the 2012-2013 Equipment Rental and Labor Agreement. The contract commences on July 31, 2012 and expires on October 31, 2013. Two bids were received:

Contractor Name	Address	Bid Total
Reid Paving Contractors, Inc.	1850 Swamp Pike Gilbertsville, PA	\$62,135.00
Reading Site Contractors	392 Sanatoga Road Pottstown, PA 19464	\$116,188.00

Mr. Hawthorne recommended that the bid be awarded to the lowest bidder, Reid Paving Contractors, Inc. Solicitor Holloway reviewed the bids and the low bidder has complied with the provisions of the bid package.

Commissioner Foltz made a motion to award the 2012-2013 Equipment Rental and Labor Agreement to Reid Paving, whose total bid for the complete schedule of equipment (14 items) was \$62,135.00. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Personnel Investigation—Commissioner Spadt said the Board has met in executive session and read the following statement:

The investigation of certain personnel complaints is now completed. It has been determined that no violation of law occurred. Corrective action directed to the employee against whom a complaint was filed and the issuance of a disposition letter to the complaining party has been recommended to the Board by Ryan Cassidy, Esquire. Mr. Cassidy has also recommended updated anti-harassment training for all Township personnel.

Commissioner Klotz made a motion to approve the statement read by Commissioner Spadt. Commissioner McGroarty seconded the motion and it was unanimously approved. Motion carried by a vote of 4-0 in favor.

NEW BUSINESS:

2012 Pottsgrove Falcon Football Program—Mr. Hawthorne asked the Board members if they would like to make a personal donation to the Pottsgrove Falcon Football Club. He asked for \$25.00 per Commissioner to sponsor a half-page ad that will run in the program for the entire football season. Mr. Hawthorne would also personally contribute \$25 towards the ad. The Commissioners agreed to personally donate \$25.00 each towards a half-page advertisement in the Pottsgrove High School Football program.

RESOLUTIONS AND ORDINANCES:

Resolution No. 942—Commissioner McGroarty made a motion to approve Resolution No. 942, appointing Christopher Wilcox as the Township's Emergency Management Coordinator and Chief of Police Michael A. Foltz as the Deputy (First Assistant) Emergency Management Coordinator. Commissioner Foltz seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Resolution No. 944—Commissioner Klotz made a motion to approve Resolution No. 944, appointing James Krynski to the Lower Pottsgrove Township Municipal Authority, to fill the vacancy occasioned by the resignation of Robert Lindgren. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Commissioner Spadt stated that he, Authority Chair Jim Toth, Commissioner McGroarty and Mr. Hawthorne interviewed three candidates and Mr. Krynski had the best experience for the position.

Warrant—Warrant No. 802 was distributed via email for the Commissioners' review.

COMMISSIONERS COMMENTS:

Commissioner Klotz and Keith Place discussed the status of the Cilluffo/Bella Italia project.

Commissioner Klotz thanked Chief Foltz and the Police Department for taking a proactive approach and conducting the DUI checkpoint.

Commissioner Klotz thanked Bob Lindgren for his public service on the Township's Municipal Authority.

Commissioner Klotz stated that Damon Carter, a former student at Pottsgrove High School, died suddenly. Commissioner Klotz recognized Damon as a great kid from a great family, who was a big part of the Township.

Commissioner McGroarty congratulated Chief Foltz and EMC Chris Wilcox on their appointments. He thanked Chris for his willingness to serve, and thanked Mrs. Wilcox as well.

Commissioner Foltz thanked the Commissioners for selecting Michael Foltz as Chief of Police. He also appreciated the award he received from PSATS for his 16 years of service as a Commissioner.

Commissioner Foltz also thanked Chris Wilcox for his time and effort.

Commissioner Spadt echoed all comments. He said Chief Foltz earned it and he is looking forward to the future.

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

Next regularly scheduled meeting will be held on Thursday, July 19, 2012 at 7:00 p.m.

Respectfully submitted,



Michele M. Cappelletti
Secretary