

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS
September 20, 2012

The Board of Commissioners of Lower Pottsgrove Township held its regularly scheduled work session meeting on Thursday, September 20, 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, Manager; Alyson Elliott, Assistant Manager and Michele Cappelletti, Secretary.

Commissioner James Kaiser was absent from the meeting.

COMMENTS FROM VISITORS:

None.

PRESENTATION BY JOSEPH W. DUDA:

2013 Minimum Municipal Obligations (MMO)—Mr. Joseph Duda of Duda Actuarial Consulting presented the calculations of the 2013 Minimum Municipal Obligations (MMO) for the Lower Pottsgrove Township Uniformed and Non-Uniformed Pension Plans. Mr. Duda stated that the Township can expect approximately \$180,000 (\pm 5%) in state aid to offset the two obligations.

After discussion, Commissioner Klotz made a motion to approve the calculations, as presented by Joseph W. Duda of Duda Actuarial Consulting, for the 2013 Financial Requirement and Minimum Municipal Obligations (MMO) for the Lower Pottsgrove Township Uniformed (Police) Pension Plan in the amount of \$168,021 and for the Lower Pottsgrove Township Non-Uniformed Pension Plan in the amount of \$192,275. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

APPROVAL OF MINUTES:

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

EXECUTIVE SESSION:

Commissioner Spadt announced that an executive session was held tonight from 6:15 p.m. to 6:45 p.m. to discuss contractual issues with the Police Department.

RESOLUTIONS AND ORDINANCES:

None.

CORRESPONDENCE AND INFORMATION:

Online Payment for Trash Bills—Mr. Hawthorne reported that Michele Christman and Jane Smale of the Finance Department researched online payment options from three third party vendors for trash bills. The following vendors were discussed:

1. **MUNICIPAY**—Program accepts all major credit cards and debit cards. User is charged a fee of 2.45% of the amount of payment, with a minimum fee of \$1.50. E-check payments are charged a flat fee of \$1.50 per payment.
2. **OFFICIAL PAYMENTS**—Program accepts all major credit cards and debit cards. User is charged a flat fee of \$4.45 per payment. E-check payments are charged a flat fee of \$2.95 per payment. Return item fee is \$5.95.
3. **PLGIT**—Currently rewriting its payments program.

Mr. Hawthorne and the Finance Department recommended using Official Payments as the Township's third party vendor for collection of trash payments. Currently, the Township uses Official Payments for sewer payments and the Tax Collector also uses this vendor for tax payments.

Commissioner Klotz said the fee charged by Municipay, which is based on 2.45% of the trash bill, would be less than Official Payments' flat usage fee of \$4.45 per payment. Mr. Hawthorne explained that there is a question of whether or not the Township can use a vendor that charges a percentage fee for collection of a utility. For that reason, staff recommends using Official Payments, because this vendor charges a flat fee per payment.

Commissioner Foltz made a motion to authorize Mr. Hawthorne and the Finance Department to proceed with setting up Official Payments as the third party vendor for online collection of trash payments. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Joe Zlomek of the Sanatoga Post asked if the Township makes a profit from the online payments. Mr. Hawthorne said no, the Township does not get any part of the fee. The fee is charged directly to the user's credit card.

The following information was included in the Commissioners' packets:

1. Zoning Hearing Application No. 2012-10 of William and Karen Schalles, 1928 Pleasantview Road.
2. "The Rap Sheet" newsletter of the Montgomery County Lodge #14, Fraternal Order of Police, Fall 2012. Lower Pottsgrove Township Police Department is featured on Page 42.
3. Letter from Susan Davis, Executive Director, Pottstown Regional Public Library.
4. Gerald Richards Park Playground photos.
5. News Release from Alyson Elliott: "Safe Use of Township Parks Requires Community Effort."
6. The Lower Pottsgrove Township Ledger, Fall 2012.

SUBDIVISION AND LAND DEVELOPMENT:

None.

OLD BUSINESS:

Municibid—Due to problems with bidders, Mr. Hawthorne requested authorization to reject all bids submitted on Municibid for the 2006 Ford Crown Victoria police vehicle, to rescind the award of the bid and to rebid the vehicle on Municibid. The new listing will be identical to the original listing for this vehicle.

Commissioner Klotz made a motion to reject all bids submitted for the 2006 Ford Crown Victoria, Item No. 13489 on Municibid, to rescind the award of the bid submitted by Paul Perry on Municibid, to relist the vehicle on Municibid with the same reserve price of \$1,000 and to re-advertise the sale of the vehicle by auction. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

NEW BUSINESS:

See—**PRESENTATION BY JOSEPH W. DUDA.**

Montgomery County Collection of Delinquent Tax Account—Solicitor Holloway reported that in June, there was discussion about Montgomery County being owed a 5% fee on delinquent taxes, regardless of who collected these taxes. Many municipalities, Lower Pottsgrove included, went to private collection companies for more efficient collection of their delinquent tax accounts. The County had failed to demand its 5% commission for a number of years and there is still litigation on whether the County can charge a commission if it is not doing the work.

The Montgomery County Commissioners recently passed a resolution to ensure the County receives 5% of all delinquent tax accounts no matter who collects the money. Solicitor Holloway requested that the Board authorize Mr. Hawthorne to start discussions with the Township's delinquent tax collector, Portnoff Associates, so that the Township would not, under any circumstances, end up paying the County 5% in addition to what it owes to Portnoff. The Township will be looking to Portnoff for what assurances (if any) they will offer to the Township, so that the Township will be protected, no matter the outcome.

Commissioner Klotz made a motion to authorize Mr. Hawthorne to engage in discussions with Portnoff Associates. Commissioner Foltz seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Snow Plowing Proposals—Mr. Hawthorne requested authorization to get quotes for snow plowing for the 2012-2013 plowing season.

Commissioner Foltz made a motion to authorize the Township to request snow plowing proposals for the 2012-2013 snow plowing season. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Warrant #804— Commissioner McGroarty made a motion to approve Warrant #804 for the month of August 2012. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

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

COMMISSIONERS' COMMENTS:

Commissioner Klotz commented on a zoning application that was included in the Commissioners' packets. He asked for the size of the in-laws quarters the applicant intends to build, as it appears to be almost the size of the house. Commissioner Klotz asked if the plan will come back to the Board of Commissioners for approval, if the variance is approved by the Zoning Hearing Board.

Mr. Hawthorne will provide Commissioner Klotz with the dimensions of the addition. He advised that zoning hearing applications are provided to the Board to make the Commissioners aware of what the hearing is about. This provides the Board with the opportunity to oppose, if they are so inclined. Solicitor Holloway advised that once the application is approved by the Zoning Hearing Board, it does not come back to the Board of Commissioners for approval. Ms. Elliott noted that even if the Board does not want to oppose, it can suggest conditions.

Commissioner Klotz congratulated the Police Department on a great job helping out Plymouth Township in its time of need. District Attorney Risa Verman also noticed the support given to Plymouth Township by all municipalities. Commissioner Klotz thanked Chief of Police Mike Foltz and Lower Pottsgrove's officers and was glad to see our Department stepped up. He said his heart goes out to the family of the officer.

Commissioner McGroarty agreed with Commissioner Klotz on what Chief Foltz and the officers did, it was a great gesture during a very difficult time.

Commissioner Foltz noted that he included a copy of the "The Rap Sheet" newsletter of the Montgomery County Lodge #14, Fraternal Order of Police in the Commissioners' packets. There is a good article about the Lower Pottsgrove Police Department in this edition. Officer Scott Weidenhammer and retired Officer Al Edlund are involved with this newsletter.

Commissioner Spadt had no comments.

MANAGER'S COMMENTS:

Ms. Elliott reported that there have been calls and emails regarding the Gerald Richards Park Playground. The Parks and Recreation Board will be looking at playground rules and reviewing the park ordinance. Commissioner Spadt asked if the rules would be posted at the parks and if they would change what the Police can enforce. Ms. Elliott

said the rules will be posted at the Township's playgrounds and the rules would be easier to enforce if the public is put on official notice.

There being no further business, the public meeting adjourned at 7:18 p.m.

Next meeting will be held on Monday, October 1, 2012 at 7:00 p.m.

Respectfully submitted,

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

Michele M. Cappelletti
Township Secretary