

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS
January 7, 2013

The Board of Commissioners of Lower Pottsgrove Township held its regularly scheduled meeting on Monday, January 7, 2013 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; James D. Kaiser and Stephen M. Klotz.

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

COMMENTS FROM VISITORS:

None.

APPROVAL OF MINUTES:

Commissioner Klotz made a motion to approve the minutes of the December 20, 2012 Board of Commissioners meeting. Commissioner Foltz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

REPORTS:

Police

Chief Foltz highlighted the following from his 2012 End of Year Report:

1. Calls for service in 2012 were slightly higher than 2011.
2. Criminal violations showed a decline in 2012, which is the trend across the nation.
3. Overtime hours for 2012 showed a slight increase from 2011. Overtime costs were \$62,000, with \$22,000 being reimbursable through entities such as the State and private contractors.
4. Fuel costs were \$40,000 and exceeded the budget by \$5,000. This is due to the ever-rising cost of fuel.
5. Vehicle maintenance costs came in under budget and were the lowest in 3 years. This decrease is the result of rotation of vehicles and newer vehicles in the fleet.

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 regarding the 2012 End of Year Report.

Chief Foltz reported that there were 909 calls for service in December 2012. He highlighted the following from his December monthly report:

1. Calls for Service/Departmental Activities:

- a. In the aftermath of the Sandy Hook Elementary School tragedy, Chief Foltz initiated a new directive. All officers are directed to make at least one foot patrol of each of the school buildings in the Township during their watch, when time permits.
- b. Chief Foltz attended a cabinet meeting with Pottsgrove School District staff and the Police Chiefs of West Pottsgrove and Upper Pottsgrove to discuss safety/security measures subsequent to the Sandy Hill incident.
- c. Home Depot donated over \$600 of breaching tools (sledgehammers and bolt cutters) to the Police Department. These tools will be deployed in each of the marked patrol units to aid officers when forcible entry is required.

2. Training:

- a. Training was limited to policy testing. All officers were given knowledge tests and policy review on the PA Open Carry Laws (firearms), Biased-based Policing Policy and Mission and Values Statement/Policy.

3. Criminal Investigations/Arrests:

- a. An arrest was made in the fatal pedestrian accident that occurred in the 2000 block of East High Street. Driver and passenger of the striking vehicle were arrested for various offenses related to the crash.
- b. Chief Foltz recognized a job well done by Det. Campbell. He recently solved several residential burglaries that took place in the early part of 2012 through a DNA match on evidence collected.

Resolution No. 964—Chief Foltz requested approval of Resolution No. 964, which adopts a performance evaluation and appraisal form for the Police Department.

Commissioner Klotz made a motion to approve Resolution No. 964, adopting job performance appraisals/evaluations policy, employee performance evaluation review and performance evaluation form to be included in the Lower Pottsgrove Township Police Department Policies and Directives Manual. Commissioner Kaiser seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Joe Zlomek of the Sanatoga Post asked if this policy raises any contractual issues. Commissioner Spadt replied no, it does not with the existing contract.

New Police Vehicles—Chief Foltz said there are two cars budgeted in the 2013 Police Budget. Because it is a time-consuming process, he requested authorization to move ahead with the purchase the vehicles.

Commissioner Klotz made a motion to authorize Chief Foltz to proceed with the bidding process to purchase two (2) new police vehicles. Commissioner Kaiser seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Emergency Management

Emergency Management Coordinator (EMC) Chris Wilcox reported the following:

1. There were no Township EOC activations in December 2012.
2. Chief Foltz and EMC Wilcox attended Red Cross sanctioned training on shelter management as part of the requirement for the professional level certification in emergency management.
3. Lower Pottsgrove Township is not eligible for any reimbursement of funds from Hurricane Sandy.

EMC Salary—Commissioner Foltz made a motion to pay a salary of \$1,500 per year for Emergency Management Coordinator Chris Wilcox out of the Emergency Management budget. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Fire Marshal

Mr. Babel reported the following statistics for December 2012:

Station	Total Calls	Total Hrs. of Service	Total Personnel Hrs.	Total Personnel Training Hrs.	Total Fundraising Hrs.
	Dec. 2012	Dec. 2012	Dec. 2012	Dec. 2012	Dec. 2012
Sanatoga (Station 58)	37	23	189	296	Not provided
Ringling Hill (Station 59)	40	27	219	Not provided	Not provided

(Hours are approximate)

In his report, Mr. Babel thanked the Board and its staff and Chief Foltz and his staff for all their help this past year. The Board reflected back the support they get from Mr. Babel.

The Fire Department will be touring the new the Tri-County Urologic Associates office on Thursday night at 7:00 p.m. Mr. Babel invited the Commissioners to attend if they are available.

Mr. Babel reported that the Occidental (Oxy) warehouse has been sold and it is 99% occupied. The area is zoned off, well-sprinkled, well-lit and he has a plot plan of the area. Mr. Babel felt some things could be problematic from an emergency management standpoint and he will continue to keep the Board updated.

Commissioner Foltz visited the former Oxy site and said the owners did an excellent job with it. He felt it was to the benefit of the Township to have the complex here and they are continuing to make improvements to the property.

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

C.O.G.—No report.

Engineering—Bursich Associates provided an Engineers' Report updating the Board on various projects and activities going on in the Township.

Commissioner Foltz commented that the pizza shop on E. High Street was slowly moving forward. He asked if there were any issues with this project. Chad Camburn replied that most of the outside work has been completed; just some cosmetic details need to be done.

Commissioner Klotz asked about the internal structure of the building. Scott Exley referred Commissioner Klotz to Keith Place for additional information.

Treasurer—Ms. Marsteller did not have a monthly report, as she is closing out the year 2012. She settled liens with Montgomery County today, with the Township soon to follow. The collection rate in 2012 was very close to 2011.

Solicitor

Generator Project—Solicitor Holloway reported that a mandatory pre-bid meeting for interested contractors will be held at the Township Building on Wednesday, January 9, 2013 at 2:00 p.m.

Contractor Registration—In his letter dated January 2, 2013, Solicitor Holloway responded to questions from the Board regarding the Contractor's Registration fee listed in the Township's fee schedule. He provided the Board with a legal analysis of the Township Contractor Registration Ordinance and Pennsylvania Statute Known as the Home Improvement Consumer Protection Act.

The Solicitor advised that the Township is not precluded from requiring registration of contractors who are involved in new construction for residential and non-residential buildings or for remodeling work for non-residential buildings; therefore, the Township can charge a fee with registration to contractors doing those types of projects. He felt it does make sense to register the contractors, as the information provided to the Township protects its residents.

Solicitor Holloway's opinion is that there is some language within the Ordinance which could cause confusion about enforcement and recommended that the Ordinance be amended to further clarify the requirements of those who must register and the information required on the registration form.

After discussion, Commissioner Klotz made a motion to authorize Solicitor Holloway to amend the Township's Contractor Registration Ordinance. Commissioner Foltz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Resolution No. 453-K—Commissioner McGroarty made a motion to approve Resolution No. 453-K, a resolution amending and establishing certain fees, deposits and escrows payable to the Township. Commissioner Foltz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Parks and Recreation and Pottstown Metropolitan Regional Planning

Ms. Elliott reported that Parks and Recreation did not meet in December.

Regional Planning—Regional Planning did not meet because they did not have a quorum. Ms. Elliott was invited to a presentation at the County by the consultant who conducted the Fiscal Impact Study. She asked the Commissioners if they were interested in a brief presentation on the Fiscal Impact Study and the modeling system. The Board authorized Ms. Elliott to set up a presentation at the March 2013 workshop meeting.

CORRESPONDENCE AND INFORMATION:

J. P. Mascaro and Sons Letter—Mr. Hawthorne reported that he received a letter from J. P. Mascaro & Sons alerting the Township that the Covered Device Recycling Act 108 (CDRA) now prohibits the following electronic devices from disposal at DEP permitted solid waste landfills: desktop and laptop computers, computer monitors, computer peripherals and televisions. As of January 24, 2013 this ban will go into effect.

SUBDIVISION AND LAND DEVELOPMENT:

None.

OLD BUSINESS:

Resolution No. 453-K—See **SOLICITOR**.

NEW BUSINESS:

None.

RESOLUTIONS AND ORDINANCES:

Resolution No. 959—Commissioner Klotz made a motion to approve Resolution No. 959, reappointing E. G. “Woody” Righter to another term as Chairman of the Vacancy Board. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

EXECUTIVE SESSION:

Commissioner Spadt announced that the Board held an executive session this evening from 6:15 p.m. to 6:50 p.m. to discuss a police personnel matter and on-going police contract negotiations. Chief Foltz was present for the personnel issue but not for the police contract discussion.

Warrant—Warrant No. 808 for December 2012 will be distributed via email for the Commissioners’ review.

COMMISSIONERS COMMENTS:

Commissioner Klotz requested that the Township send its condolences to the family of Andy Paravis. Mr. Paravis was a North Coventry Township supervisor and was very involved in the Pottstown Metropolitan Regional Planning Commission. Ms. Elliott advised that Regional Planning is dedicating the Regional Comprehensive Plan to Mr. Paravis. Mr. Hawthorne will prepare a letter to the Paravis family.

Commissioners Kaiser, McGroarty, Foltz and Spadt had no comments.

MANAGER’S COMMENTS:

Mr. Hawthorne advised that there will be a conference call with two Montgomery County officials on January 15, 2013 regarding the Rupert Road Bridge (condition, money allotted, etc.).

There being no further business, the meeting was adjourned at 7:30 p.m.

Next regularly scheduled meeting will be held on Thursday, January 24, 2013 at 7:00 p.m.

Respectfully submitted,

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

Michele M. Cappelletti
Secretary