

**Lower Pottsgrove Township
Board of Commissioners Meeting
Monday, July 1, 2013 7:00PM**

The Board of Commissioners of Lower Pottsgrove Township held its regularly scheduled meeting on Monday, July 1, 2013 at the Lower Pottsgrove Township Municipal building, 2199 Buchert Road, Pottstown, Pennsylvania. The meeting was called to order at 7:00PM 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, Township Manager; Alyson Elliott, Assistant Manager; Jennifer Corley, Administrative Assistant; Scott Exley, Township Engineer; Chief Michael Foltz; Lew E. Babel, Fire Marshal.

COMMENTS FROM VISITORS:

Todd Maxey – 2766 E. High St. – Mr. Maxey reported that plans for the new driveway were submitted on July 1, 2013. He has prepared a check for the Montgomery County Planning Commission for submission. He would like to know what will help expedite this. Fran Haney says that the plans are OK. Mr. Maxey is looking for the Board of Commissioners to allow him to move in on a Temporary Use and Occupancy. He would like to know who authorizes the Temporary U&O and if there is a timeline for when he could expect one to be issued. He is more than willing to work with the Township towards a resolution so he is able to move into the building.

Solicitor Holloway commented that the plan was what staff was waiting for. Since it had just been received that morning, he did not have adequate time to prepare a timeline. He commented he had been in touch with Mr. Maxey's attorney and would continue to remain in contact regarding the finalized details. As soon as Bursich Associates, Inc. is able to review the plans Solicitor Holloway will contact Mr. Maxey's attorney with an agreement and instructions on what is necessary to have a Temporary Use & Occupancy issued.

Mr. Chad Camburn of Bursich Associates, Inc. commented that he has been in contact with Mr. Maxey's engineer and they are having a problem with the Storm Water Management plan. He commented that he has informed her that he would meet with her on site to assist with the plan after the Independence Day holiday.

Mr. Maxey wanted to know if the Storm Water Management plan was what was holding up the process.

Mr. Camburn replied that the Land Development process was held up by this, but Township staff would determine if the Temporary U&O was held up because of it.

Solicitor Holloway then commented that until the plans were submitted, he was not able to draw up an agreement. There are health and safety issues that will be addressed by the Temporary U&O. At this time he was unable to offer a timeline as the plan had been submitted that day.

APPROVAL OF MINUTES:

Commissioner Klotz made a motion to approve the meeting minutes of June 20, 2013 Board of Commissioners work session meeting. Commissioner Kaiser seconded the motion and it was unanimously approved. The vote was 5-0 in favor.

EXECUTIVE SESSION:

Commissioner Spadt announced that an executive session was held tonight from 6:00 p.m. to 6:45 p.m. to discuss a negotiation issue.

REPORTS:

Police:

Chief Foltz reported the following highlights from his report:

1. Training: Chief Foltz reported that Ofc. Weidenhammer, Ofc. Smith and Chief Foltz participated with CMERT team training school staff and patrol officers of various municipalities in active shooter response. Ofc. Kemp attended meeting at the Montgomery County Emergency Operations Center for the new MDC software being rolled out by the county. Chief Foltz attended training at Montgomery County EOC regarding Chemical Assisted Suicide response and the Emergency Management of these scenes

2. Criminal Investigations/Arrests: Chief Foltz reported that Det. Campbell and Ofc. Kienle are working on an investigation of an armed robbery involving a pistol whipping of a victim in Rolling Hills development that occurred on June 6th. They have suspects and are actively working the case to hopefully bring criminal charges. Chief Foltz also reported that Detective Campbell is continuing to work the armed robberies of three (3) pizza delivery drivers that occurred in Walnut Ridge and Rolling Hills developments. He also reported that there are three (3) of the four (4) suspects in the May homicide case have been apprehended and are facing trial. The 4th suspect remains at large and is still considered "armed and dangerous". There was an armed robbery of the National Penn Bank on June 19th and there was a subsequent arrest of three (3) males. The case is being jointly investigated by LPPD and the FBI. Lastly, Ofc. Slothower is working with County Detectives on a fatal motorcycle accident that occurred on 422 at Armand Hammer interchange on Jun 29th. The accident involved the motorcycle and three (3) other passenger vehicles.

3. Overtime: There were 165.75 hours of overtime in the month of June. A considerable amount was spent on the Bank robbery investigation and the armed robbery of the delivery driver. Some overtime is still being expended on the Borowy homicide investigation. Other overtime included contracted police services for the Saint Aloysius Parish annual carnival held at the former St. Pius HS property.

Chief Foltz asked for the Board of Commissioners consideration on two matters. He first asked for a commitment on hiring the new officer in the 2013 calendar year. The Civil Service

Commission is at the point in the hiring process where tests given to candidates will render invalid should the hiring process be held over into 2014. Chief Foltz does not want to expend the funds to continue with this process unless the Commissioners are committed to hiring the new officer in 2013.

Commissioner Klotz stated the position should be filled immediately. Commissioner Spadt inquired whether the new position was budgeted for in 2013 budget. Commissioners McGroarty and Kaiser indicated that it was a budgeted item. Commissioner Klotz made a motion to endorse Chief Foltz's hiring of a new officer in 2013. The motion was seconded by Commissioner Kaiser and carried with a vote of 5-0.

The second item that Chief Foltz addresses was that due to the high volume of criminal activity he would like to appoint a second detective. Commissioner Klotz inquired as to what the pay raise was from Officer to Detective. Chief Foltz responded that it was a \$3000 pay raise. Commissioner McGroarty inquired as to how this appointment affects the manpower on the force. Chief Foltz responded that for the summer months the SRO is on regular duty and he is hoping to have the new officer hired by the end of the summer. Commissioner Klotz made a motion to move forward with the Detective appointment. Commissioner McGroarty seconded the motion and it carried with a vote of 5-0.

Emergency Management:

Chief Foltz also reported on Emergency Management. During the month of June there were no Township EOC activations. Emergency Management Coordinator Wilcox met with Montgomery County EMA Official to review the radiological emergency response plan. There will be another mandatory tabletop drill on November 19th.

Fire Marshal:

Mr. Babel reported the following for the month of June 2013. He reported on a situation at one particular site that involved exotic pets and ask the Commissioners to investigate an ordinance to cover exotic animals.

Commissioner Spadt stated he will have Mr. Hawthorne check on ordinances in surrounding Townships.

Station	Total Calls	Total Hrs. of Service	Total Personnel Hours	Total Personnel Training Hrs.	Total Fundraising Hours
	June 2013	June 2013	June 2013	June 2013	June 2013
Sanatoga (Station 58)	19	21:03	206:06	235	
Ringling Hill (Station 59)	24	30:12	122	53	250

(Hours are approximate)

Highway – Public Works Report:

Commissioner Foltz read the report for June 2013. The full report will be posted on the bulletin board.

C.O.G.: Commissioner Foltz reported that the next COG meeting will be held here at Lower Pottsgrove Township on September 11, 2013.

Engineer: Chad Camburn of Bursich Associates Inc. reported on the projects for the Township. 2217 E. High St. – Bursich is reviewing the sewage planning module. He has a call in to Pennsylvania Department of Environmental Protection to discuss what is necessary to allow building permits to be issued. 2276 E. High St. – Township staff has met with and is coordinating with the property owner and his legal and engineering consultants with guidance on what needs to be done to occupy the building. Plans were received on July 1, 2013 for review. Buchert Ridge- Phase 2 – Bursich met with representatives from Hallman Retirement Neighborhoods REGARDING THE June 21 deadline for conditions to the temporary U&O for the Prizer house. 1338 Lynn Dr – Bursich has completed the review of the draft sewage facilities planning module and is waiting on the subdivision plans for the 3 lot subdivision to be submitted to the Township for review. Antonelli – Staff continues to work with the new owner regarding the plan for the expansion and outlining conditions for both temporary and permanent use and occupancy.

Commissioner Spadt commented that he has been contacted by the new owner of Antonelli and he would like staff to reach out to him and follow up since staff is waiting on information from them. Solicitor Holloway noted that staff is trying to assist the new owner move the project along and are focusing on the old parking lot across a busy street. The lot needs adequate parking for the expanded number of students as well as ADA requirements must be met. Commissioner Foltz inquired as to whether the business is located on a state road and if we can do a walkway with a pedestrians crossing sign. Ms. Elliott responded that there is also a concern with getting the handicapped across the road as well.

Commissioner Foltz commented that he thinks 2217 E. High St. will help the Township immensely and he would like

Treasurer: Ms. Marsteller was absent from the meeting and no report was submitted.

Solicitor: Solicitor Holloway reported on the three temporary Use & Occupancy permits that have been issued and the legal aspects that he is working on with each. He included a self imposed timeline that was submitted by Hallman Retirement Neighborhoods so commissioners can see the progression of that project. The other two projects were 1700 Industrial Highway (Antonelli School) and Mr. Maxey's building.

Parks & Recreation: Ms. Elliott thanked Ms. Corley for all her work with the Parks and Recreation planning of events.

Regional Planning: Ms. Elliott reported that the continued discussion at the Regional Planning meeting was the Regional Recreation Coordinator.

Authority: Mr. Hawthorne reported that the negotiations between LPT and the Borough are ongoing and at present there is nothing new to report.

OLD BUSINESS

Authority truck – Mr. Hawthorne reported that the Authority Foremen’s truck was sold on Municibid for \$5900.00. Commissioner Foltz motioned to accept the bid of \$5900.00 and it was seconded by Commissioner Spadt. The motion carried with a vote of 5-0.

NEW BUSINESS

Act 44: Solicitor Holloway reported on Act 44 and the procedure policy as it relates to the Township Pension Plans. This Act was created to ensure that advisors are using best practices and not political contributions to avoid conflicts of interest. Lower Pottsgrove Township has two advisors for pension plans – an actuary as well as an investment advisor. Staff has developed a procedure for a proposal to select new advisors, but it is not required if the Township if it intends to maintain the current advisors. The township adopted the practice of submitting the disclosure documents when Act 44 was enacted. At that time the Township was not required by the State to take any action. The state is now mandating the Township update its policy. A copy of the proposed policy was distributed to commissioners for their review and future comment.

Health and Safety: Mr. Hawthorne presented information from DVWCT that there is going to be an additional fee of \$1 due for each “covered life” (each plan participant including dependents and COBRA patients). This is called the Patient Centered Outcomes Research Institute fee (PCORI fee). Mr. Hawthorne also reported that DVWCT has adopted a Safety and Health Manual for adoption by their members. If Lower Pottsgrove Township adopts, it could help cut down on Worker’s Compensation claims. Commissioner Foltz commented this would be a good thing to have and motioned to move forward with the adoption of the Safety and Health Manual as presented by Mr. Hawthorne. The motion was seconded by Commissioner Klotz and carried with a 5-0 vote.

RESOLUTIONS AND ORDINANCES

No business

Warrant- Review of warrant #814 June 2013.

COMMISSIONER COMMENTS

Commissioner Klotz had no comments.

Commissioner Kaiser had no comments

Commissioner McGroarty had no comments.

Commissioner Foltz commented that Ms. Corley is to be commended on her work with Parks and Recreation and the Summer Concert Series.

Commissioner Spadt had no comments.
Mr. Hawthorne had no comments.

Solicitor Holloway had no comments.

Ms. Elliott commented on the Transportation Impact Fee. She reported that she has contacted surrounding municipalities regarding their own transportation impact fees. She feels Traffic Planning and Design will be a good source regarding this fee. The county planning commission has said that the Transportation Impact Study should cost less than \$100,000. They can further reduce the cost of this study by completing the Land Use Assumption Study as part of the contract with us. This will be no charge. Commissioners Spadt and McGroarty would like to have Traffic Planning and Design in to address this issue with the commissioners. Commissioner Kaiser indicated the second meeting in August would be the best time. Ms. Elliott was instructed to schedule the meeting.

With there being no further business to discuss the meeting was adjourned at 7:55 PM. The next regularly scheduled meeting will be held on Thursday, July 25, 2013 at 7:00 PM.

Respectfully submitted,


Jennifer J. Corley