

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS
January 6, 2014

The Board of Commissioners of Lower Pottsgrove Township held its reorganization meeting on Monday, January 6, 2014 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, Bruce L. Foltz and Stephen Klotz.

Edward C. Wagner, Manager; Jennifer V. Marsteller; Robert L. Brant of Brant and Associates, LLC; Scott Exley of Bursich Associates, Inc.; Lew Babel; Michael A. Foltz, Chief of Police; Chris Wilcox and Michele Cappelletti.

Pursuant to the First Class Township Code, His Honor District Justice Edward C. Kropp, Sr., District 38-1-12, administered the Oath of Office to the Township's most recently elected officials from the November 2013 election:

Shawn Watson, Commissioner
 Jennifer V. Marsteller, Tax Collector

Commissioner James D. Kaiser was absent from the meeting. He was sworn in at Judge Kropp's office at 10:00 a.m. on January 6, 2014.

REORGANIZATION:

Mr. Wagner asked for nominations for the position of President of the Board of Commissioners. Commissioner Klotz made a motion to nominate Bruce L. Foltz as President. Commissioner Watson seconded the motion. There were no other nominations. Motion was unanimously approved. Vote was 4-0 in favor.

Mr. Wagner turned the meeting over to Board President Foltz, who read aloud Resolution No. 998-14, to appoint the following board officers, board committees, conference groups, staff positions and professional advisors:

| | |
|---|--|
| Board President | Bruce L. Foltz |
| Board Vice President | Stephen M. Klotz |
| Vacancy Board: | Steve Mixon |
| Solicitor | Robert L. Brant and the firm of Robert L. Brant and Associates, LLC |
| Engineer | Bursich Associates, Inc. |
| Secretary | Michele M. Cappelletti |
| Architectural Advisor | Donald Wirt |
| Zoning & Code Enforcement Officer | Underwriter Inspection Service, Inc. |
| Fire Marshal | Lewis E. Babel, Jr. |
| Emergency Management Coordinator | Christopher Wilcox |
| Deputy (1 st Asst.) Emergency Management Coordinator | Mike Foltz |
| Asst. Emergency Management Coordinator | Michele M. Cappelletti |
| C.A.O. for Pension Funds | Edward Wagner |

COMMITTEES

The following committees are hereby re-affirmed:

| | |
|------------------|-------------------|
| Finance/Budget | Edward Wagner |
| | Michele Christman |
| Police Committee | Stephen Klotz |
| | Shawn Watson |

CONFERENCE GROUPS

The following committees were changed from committees to conference groups because the main purpose for each group is to gather information for presentation to the Board of Commissioners ("Board") rather than to take official action or render advice to the Board (Resolution No. 849-A, November 18, 2010):

| | |
|-----------------------------------|---------------------------------|
| Joint Pottsgrove Recreation Board | James Kaiser (elected official) |
| | Citizen Rep – Patty Bleakley |
| Regional Planning | James Kaiser |
| | Alternate: Jonathan Spadt |
| | Alternate: Shawn Watson |
| Economic Development | Shawn Watson |
| Building | Stephen Klotz |
| | Shawn Watson |
| Fire | Bruce L. Foltz |
| Trash | Jonathan Spadt |
| Council of Governments(C.O.G.) | Bruce L. Foltz |
| Highway | Bruce L. Foltz |

Commissioner Klotz made a motion to approve Resolution No. 998-14, as read. Commissioner Watson seconded the motion.

Commissioner Spadt asked for the qualifications of the nominee for the Vacancy Board, Steve Mixon. Commissioner Klotz advised that Mr. Mixon has lived in Lower Pottsgrove Township his entire life. He has been a volunteer at Pottsgrove High School for approximately 8 years and is involved in the community.

Commissioner Spadt said Kurt Holloway did a great job as Solicitor and is a good friend; he said Bob Brant is a good friend and an excellent lawyer. He abstained from voting on Resolution No. 998-14 out of respect for both Bob and Kurt. He stated he generally supports what is being done.

With a motion on the floor made by Commissioner Klotz, and a second to that motion made by Commissioner Watson, motioned carried by a vote of 3-0. Commissioner Spadt abstained from voting on Resolution No. 998-14.

APPROVAL OF MINUTES:

Commissioner Spadt made a motion to approve the minutes of the December 19, 2013 Close-Out Meeting of the Board of Commissioners. Commissioner Klotz seconded the motion. Motion carried by a vote of 3-0. Commissioner Watson abstained from voting because he was not on the Board of Commissioners on December 19, 2013.

COMMENTS FROM VISITORS:

Library Funding—Jim Phillips, 1255 Kepler Road, voiced his support of the Pottstown Regional Public Library. He challenged the Commissioners to visit the Library before they vote

to cut funding. Virginia Smith, 1015 Kepler Road, commented on the wonderful programs offered by the Library.

Commissioner Foltz said other areas besides the Library, such as personnel, have been cut and the Board must consider rising expenses (insurance, fuel, etc.) when trying to balance the budget. Commissioner Foltz stated that he will personally visit the Library before he makes a final decision.

Commissioner Klotz will also visit the Library. He said when it comes to funding, he has always supported the Police and Fire over anything else and if the budget is cut, it is not going to happen in our Police and Fire services. Mr. Phillips clarified he was not saying to give to the Library and cut Police and Fire. He pointed out that 15 other municipalities have fewer residents handled at the Library and they contribute more than Lower Pottsgrove Township. Commissioner Watson stated he will also visit the Library before he makes a decision to cut funding.

President of the Pottstown Cluster of Religious Communities, Allan Altschull, 1301 Mulberry Street, thanked the Board for the food that the Township collected and donated to the Cluster in December. He felt to remove funding is a negative and urged the Board not to cut spending and to support the Library.

Commissioner Spadt said the comments heard by the Board were worth consideration. He said there are children who don't have computers at home, as well as adults who are looking for jobs. Commissioner Spadt said he couldn't agree with Commissioner Klotz more about supporting the Township's Police and Fire Services; however, the Board has increased the fire tax and has given more money to the Police and Fire. He felt it was now time to give a little more to the Library.

REPORTS:

Police

2013 End of Year Report—Chief of Police Michael A. Foltz delivered a presentation on the Lower Pottsgrove Township Police Department 2013 End of Year Report.

Commissioner Klotz asked about Chief Foltz's proposed staffing structure. Chief Foltz's proposal is to have four platoons/squads. Each platoon would have a platoon sergeant plus three officers who would report to that sergeant. The detectives and school resource officer (SRO) would report directly to Chief Foltz.

Commissioner Klotz asked if this structure is based on something from the FBI Academy or if it is standard. Chief Foltz advised that there was a study done in 2010 for a regional police department. Lower Pottsgrove Township alone should have 18 officers, not including administrative personnel such as the Chief or Lieutenant. The recommendation was that Lower Pottsgrove Township should have between 15 and 23 officers; Chief Foltz feels that based on demographics, 18-20 officers is a good number.

December 2013 Report—Chief Foltz reported that there were 1,008 calls for service during the month of December 2013. There were 59 criminal investigations; 23 adults were arrested and 1 juvenile was handled. He highlighted the following from his report:

1. Calls for Service/Departmental Activities:

- a. Calls for Service Comparison for the years 2013, 2012 and 2011.
- b. The Department is pursuing accreditation status through PA Chiefs of Police Association. Expecting a mock assessment January 28.
- c. In the pursuit of accreditation, the Department needed to bolster its evidence security measures. Home Depot donated 20 locks to the Department.
- d. On December 20, while 2 uniformed officers, a detective and the Chief were all handling incidents, 6 other police calls for service went unanswered. One emergency was handled by Fire and EMS officials. For this reason, Chief Foltz wants to continue to build the Department.
- e. New signage was affixed to the exterior of the Police Department. The signs are larger renditions of the new patch.

2. Traffic Enforcement:

- a. Due to increased frequency of accidents, Chief Foltz ordered directed patrols for traffic enforcement along the E. High Street corridor.

3. Criminal Investigations/Arrest:

- a. While the residents were sleeping, a St. Andrews Way residence was the target of an attempted forcible burglary.
- b. Det. Campbell is working on a possible sexual assault case. Investigation is ongoing.
- c. Officers responded to a domestic dispute in Maple Glen involving a subject armed with a loaded handgun. Subject was arrested.
- d. Det. Campbell is working on a case involving possible child exploitation.

4. Overtime:

- a. There was substantial overtime to cover open shifts, which were left open due to medical leave, vacations and holidays.
- b. Chief has been working some open shifts to help maintain budget and alleviate the inconvenience to other officers. Commissioner Foltz thanked the Chief for filling the shifts and working on Christmas day.
- c. Ofc. Weidenhammer had 16 hours of overtime to conduct accreditation preparation.

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

Civil Service

Reorganization—Chief Foltz reported that the Civil Service Commission held its duly advertised reorganization meeting tonight at 5:30 p.m. Jacob Dailey (who was present at the Board of Commissioners meeting) was voted Chair of the Commission, Woody Righter was voted Vice-Chair and Mike Misiak was voted Secretary. There is a vacancy on the Civil Service Commission for an alternate member, due to the resignation of John Genther.

Emergency Management

Chris Wilcox delivered the Emergency Management Report for the month of December 2013.

Commissioner Klotz asked if Montgomery County gets involved with snow emergencies. Mr. Wilcox explained it does not; he monitors the situation and confers with the Manager regarding declaring a snow emergency. If the Township declares a snow emergency, it offers us the opportunity for reimbursement should the Governor declare a state of emergency. Don Woodley said Sanatoga Fire Company was manned 24 hours during the recent snow over the weekend.

Fire Marshal

Mr. Babel reported the following statistics from his January 2014 report:

| Station | Total Calls | Total Hrs. of Service | Total Personnel Hrs. | Total Personnel Training Hrs. | Total Fundraising Hrs. |
|----------------------------------|--------------------|------------------------------|-----------------------------|--------------------------------------|-------------------------------|
| | Nov. 2013 | Nov. 2013 | Nov. 2013 | Nov. 2013 | Nov. 2013 |
| Sanatoga (Station 58) | 37 | 18 | 180 | 290 | Not provided |
| Ringing Hill (Station 59) | 35 | 27 | 204 | 70 | 292 |

(Hours are approximate)

Mr. Babel reported that a member of the fire police was injured on duty.

Mr. Babel thanked the Board, Rod, Chief Foltz and staff for their support this past year. He said it was very impressive that the Chief of Police was working on Christmas day.

Assistant Fire Marshal—Mr. Babel reported Mike Rightnour resigned from his position as Assistant Fire Marshal. Mr. Babel recommended Chris Wilcox to fill the vacancy.

Commissioner Klotz made a motion to appoint Chris Wilcox as the Lower Pottsgrove Township Assistant Fire Marshal, effective immediately. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Highway—Public Works Department: Commissioner Foltz read the Public Works Report for the month of December 2013. The report will be posted on the bulletin board. He thanked the Public Works employees for all their work during the snowy weather.

C.O.G.—Meeting will be held on January 14, 2014. Commissioner Foltz requested authorization to pay dues to COG in the amount of \$100.00 for the year 2014. Commissioner Klotz made a motion to pay \$100.00 to C.O.G. for 2014 dues. Commissioner Spadt seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Engineering—Scott Exley of Bursich Associates thanked the Board for its confidence in their service. He provided an engineering report highlighting recent activities.

Mr. Exley advised the Township is required to update its Stormwater Ordinance by mid-March. Commissioner Spadt asked what the Township is required to do. Mr. Exley advised the current ordinance requires minor updates, which will be presented to the Board for review and approval.

Treasurer—Ms. Marsteller will have a report next month. She is currently wrapping up 2013 and finalizing the lien list.

Solicitor—Mr. Brant appreciated the Commissioner's confidence and thanked them for appointing him as Solicitor. Mr. Brant formerly served as the Township's Zoning Solicitor for almost 25 years.

Parks and Recreation—Mr. Wagner reported the Parks and Recreation Board did not meet in December.

Pottstown Metropolitan Regional Planning—No report.

Authority

Borough of Pottstown—Mr. Wagner reported a final decision will be made on February 6, 2014 at 8:00 a.m. on who will be awarded the contract for the third party sewer treatment plant operations review and financial and billing review. Meeting will be held at Lower Pottsgrove Township.

CORRESPONDENCE AND INFORMATION:

Commissioner Foltz advised Zoning Hearing Application #2014-01 and #2014-02 were included in the commissioners' packet. A zoning hearing will be held on January 28, 2014 at 6:00 p.m. at the Lower Pottsgrove Township Municipal Building.

OLD BUSINESS:

None.

SUBDIVISION AND LAND DEVELOPMENT:

None.

NEW BUSINESS:

2014 Meeting Calendar—Commissioner Klotz made a motion to advertise the meeting dates for all Township Boards and Commissions for the year 2014. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Appointment of Treasurer and Deputy Treasurer—Commissioner Klotz made a motion to appoint Jennifer Marsteller as the Township's Treasurer and Virginia Smith as Deputy Treasurer. Commissioner Spadt seconded the motion and it was unanimously approved. Vote was 4-0 in favor. Mrs. Smith will be sworn in at Judge Kropp's office this week.

Tuition Reimbursement—Commissioner Klotz made a motion to approve Officer James McCue's Request for Reimbursement for Tuition and Books in the total amount of \$3,554.17 for the 2014 Spring Semester. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Commissioner Klotz asked if the officer is reimbursed before or after completion of the semester. Chief Foltz advised historically the Township has reimbursed upfront but the officer reciprocates with the required grades.

Re-Opening the 2014 Budget—Commissioner Klotz made a motion to reopen the 2014 budget. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

There was discussion on the proposed changes to the 2014 budget. Commissioner Klotz made a motion to eliminate the Assistant Manager position. Commissioner Watson seconded the motion.

Commissioner Spadt said to be clear on the elimination of the Assistant Manager's position, and out of respect for Alyson, it is a firing of Alyson. Solicitor Brant said it is an economic decision to eliminate that position. Commissioner Foltz does not like to see anyone lose their job and, out of respect for Alyson, would prefer not to use the word fired. Commissioner Spadt said it is the reality behind this and this majority needs to live up to it.

Commissioner Klotz said the reality behind this is very simple. He asked for discussion of this matter, but there was never an executive session held to discuss it. Commissioner Klotz said it certainly was not a firing, it was determined that the Township does not need an Assistant Manager. It was not personal, the position is being eliminated.

With a motion on the floor and second, Commissioners Foltz, Klotz and Watson voted "Aye" to eliminate the Assistant Manager position. Commissioner Spadt voted "Nay." Motion carried by a vote of 3-1.

RESOLUTIONS AND ORDINANCES:

Resolution No. 453-L—Commissioner Klotz made a motion to approve Resolution No. 453-L, Amending and Establishing Certain Fees, Deposits and Escrows Payable to the Township. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Resolution No. 1000-14—Commissioner Klotz made a motion to approve Resolution No. 1000-14 reappointing Dave Richards to the Lower Pottsgrove Sewer Authority. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Resolution No. 1001-14—Commissioner Klotz made a motion to approve Resolution No. 1001-14, reappointing Joseph Chrisman to the Lower Pottsgrove Building Code Appeals Board. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Resolution No. 1002-14—Commissioner Spadt made a motion to approve Resolution No. 1002-14, reappointing Ronald Dinnocenti to the Lower Pottsgrove Planning Commission. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Resolution No. 1003-14—Commissioner Klotz made a motion to approve Resolution No. 1003-14, appointing James Vlahos as a Full Member to the Zoning Hearing Board. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Resolution No. 1004-14—Commissioner Klotz made a motion to approve Resolution No. 1004-14, appointing Cody Robbins as an Alternate Member to the Zoning Hearing Board. Commissioner Watson seconded the motion. Commissioner Spadt asked for Cody Robbins' qualifications. Commissioner Klotz advised that Cody applied and was interviewed for the vacancy on the Zoning Hearing Board. Commissioner Klotz said Cody wants to be involved and the alternate position is a good start for him. The motion on the floor was unanimously approved. Vote was 4-0 in favor.

Resolution No. 1005-04—Commissioner Klotz made a motion to approve Resolution No. 1005-04, appointing Brandon Ray Towson Fire Police Officer for Ringing Hill Fire Co. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Resolution No. 1006-14—Commissioner Klotz made a motion to approve Resolution #1006-14, appointing Michele Christman as the Alternate Member to the Act 32 Committee. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Warrant—Warrant No. 820 for December 2013 was distributed via email for the Commissioner review.

COMMISSIONERS COMMENTS:

Commissioner Spadt said there was a great turnout at tonight's meeting. He officially welcomed Shawn Watson and advised Jim Kaiser is in Canada. Commissioner Spadt said he is looking forward to another year.

Commissioner Watson said he is looking forward to serving 4 years on the Board and he congratulated Bob Brant on his appointment.

Commissioner Klotz commented on the food drive. 2,700 pounds of food was delivered to the Cluster and everyone is excited to make it even bigger next year. He thanked Shawn Watson and the fire companies for this great community event. Allan Altschull thanked everyone for a great group effort.

Commissioner Klotz thanked the Public Works Department for the work they did clearing the roads during the snow. He again welcomed Shawn aboard and said he looks forward to working with him.

Commissioner Foltz asked if the law says a Board member can participate via telephone if he cannot be present at a meeting. Solicitor Brant said state statute permits it but asked if the Board wants to decide if they, as commissioners, want to have only face-to-face participation. Commissioner Spadt said there are respected members of various other Township boards and commissions that might not want that decision. He said there are exceptions and he would like to look at it from all sides of the issue. Solicitor Brant will further check into the matter.

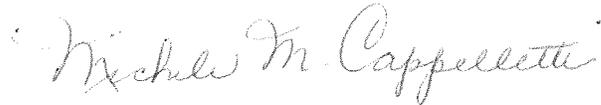
Commissioner Foltz stated that everyone, the staff, Police, Fire, Solicitor, etc. should be working towards the same goals. We are trying to bring business into the Township. The answer may not always be yes, but the goal is to not drag out the process for developers, builders, etc. The Board is making changes and hopefully everything will work out.

Solicitor Brant announced there will be an executive session immediately following tonight's public meeting. The Board of Commissioners will reconvene and advise if any action is taken.

There being no further business, the meeting was adjourned at 8:15 p.m. Next meeting will be held on Thursday, January 23, 2014 at 7:00 p.m.

The Board reconvened into public session at 8:28pm Commissioner Spadt made a motion to accept the recommendation of Chief of Police Michael Foltz for the reduction of two hours of overtime for Police Officer X. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 4-0 in favor. Public meeting adjourned at 8:39 p.m.

Respectfully submitted,

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

Michele M. Cappelletti
Secretary