

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS
March 3, 2014

The Board of Commissioners of Lower Pottsgrove Township held its regularly scheduled meeting on Monday, March 3, 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: Stephen M. Klotz, Vice President; Shawn D. Watson and James D. Kaiser.

Robert L. Brant, Solicitor; Edward C. Wagner, Manager; Michael A. Foltz, Chief of Police; Lew Babel, Fire Marshal; Chris Wilcox, Emergency Management Coordinator; Jennifer V. Marsteller, Treasurer/Tax Collector; Scott Exley, Township Engineer and Michele Cappelletti, Secretary.

Commissioner President Bruce L. Foltz and Commissioner Jonathan H. Spadt were absent.

APPROVAL OF MINUTES:

Commissioner Kaiser made a motion to approve the minutes of the February 11, 2014 Board of Commissioners meeting. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 3-0 in favor.

COMMENTS FROM VISITORS:

Tony Doyle, 1745 Kepler Road, had the following questions/comments about the 2014 Budget:

1. Mr. Doyle stated \$354,499 was budgeted for the Police Department for medical insurance. He asked how many police officers are covered and the cost per person. Chief Foltz replied there are 17 police officers and 2 civilians (administrative staff), for a total of 19. Commissioner Kaiser explained the cost per person is based upon the status of the employee (married, married with children, single, etc.) and the cost for coverage varies accordingly.
2. Mr. Doyle stated \$78,000 is budgeted for the Codes Enforcement Officer, but the Township is now using a third-party agency for this position. Commissioner Kaiser said the \$78,000 was included as a placeholder in the event that the Board would decide to go with a full time, on-staff Codes Enforcement Officer later this year.
3. Mr. Doyle questioned budgeting \$11,500 for the Freightliner (truck) repair. Commissioner Kaiser said that covers maintenance and repair for all the trucks.
4. Mr. Doyle asked about the \$25,000 grant for a new sign in front of the Township Building. Mr. Wagner advised the Township was not awarded the grant. Mr. Doyle asked why this amount was included in the budget if we did not get the funding. Commissioner Kaiser said it will be a variable when we actually get the money.

5. Mr. Doyle asked if there is a reason Exelon is no longer giving the Township grant money. Commissioner Klotz said the Exelon grant was for open space and the Township hasn't purchased any.
6. Mr. Doyle said the Township's 2010 pension obligation was \$73,000, and then in 2014, it was \$179,000. He asked why the increase and if this has anything to do with the pension enhancements. Mr. Wagner said he would have to see the numbers and invited Mr. Doyle to schedule a meeting with him to go over the budget.
7. Mr. Doyle asked why college training for police officers went up from \$20,000 to \$25,000. Commissioner Klotz said educational reimbursement is a police contract item. Commissioner Kaiser said each request comes before the Board of Commissioners for approval. Chief Foltz said the number was increased because of inflation and it includes not only college reimbursement, but other training as well.
8. Mr. Doyle noted that legal fees went from \$193,000 in 2013 to \$250,000 in 2014.
9. Mr. Doyle asked if employees carry over sick days. Mr. Wagner advised that sick days do carry over and the employees can accumulate up to 60 days. Mr. Doyle feels that the number of sick days should be decreased.

REPORTS:

Police

Resolution No. 1011-14—Chief Foltz requested approval of Resolution No.1011-14, which amends certain standing policies and adds a new policy to the Police Policy Manual. Copies of the amended policies and the new policy are attached to the Resolution.

Commissioner Kaiser made a motion to approve Resolution No. 1011-14, amending certain policies and adopting a new policy to be included in the Lower Pottsgrove Township Police Department Policies and Directives Manual. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 3-0 in favor.

Chief Foltz reported there were 1,004 calls for service and 88 criminal investigations in February 2014. He highlighted the following from the monthly report:

1. Calls for Service/Departmental Activities:

- a. The Department will undergo its On-Site Assessment for accreditation March 16 through March 18, 2014.
- b. The Civil Service Commission convened on February 17 for the purpose of appointing a Vice-Chairman, due to the death of Woody Righter. The Commission appointed Kathy Jo Winterbottom to this position.
- c. Detectives have been assigned background checks to begin the process of eligibility for hiring later this year.

2. Traffic Enforcement:

- a. Due to weather conditions this past month, traffic enforcement activities were limited to routine patrol contacts. No directed traffic enforcement activities or reimbursed programs were conducted.
3. **Criminal Investigations/Arrests:**
- a. There has been an upswing in drug activity. The Chief reported on three separate incidents involving possession of illegal drugs and drug paraphernalia.
4. **Overtime:**
- a. Almost twenty (20) hours of reimbursed overtime hours were expended under contract with JD Eckman. Police provided traffic buffering for the work crews.

Emergency Management

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

1. There were no EOC activations but on February 13, 2014 the Township did operate under a modified EOC. Chief Foltz monitored daytime events of the snowstorm and EMC Wilcox continued to monitor and was available by phone.
2. The Township did declare a snow emergency on February 12, 2014 and the event was terminated on February 14, 2014. Ed Wagner is working on paperwork for reimbursement of eligible expenditures.

Fire Marshal

Mr. Babel highlighted the following statistics from his written report:

Station	Total Calls	Total Hrs. of Service	Total Personnel Hrs.	Total Personnel Training Hrs.	Total Fundraising Hrs.
Sanatoga (Station 58)	Jan. 2014	Jan. 2014	Jan. 2014	Jan. 2014	Jan. 2014
	35	23	194	142	Not provided
Ringling Hill (Station 59)	28	19	122	60	199

(Hours are approximate)

Highway—Public Works Department: Commissioner Klotz read the Public Works Report for February 2014. He noted that the majority of the Public Works Department's time last month was spent on snow and ice removal and damage from the storms. 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. Scott Exley highlighted the following:

1. Bursich drafted amendments to the Township's Stormwater Ordinance to meet the requirements of the new PAG-13 MS4 permit. The Township Solicitor's office reviewed

the amendments and has recommended the amended ordinance be adopted by the Board of Commissioners.

2. A meeting is scheduled with Montgomery County to discuss funding, design and replacement of the Rupert Road Bridge.

Treasurer—Ms. Marsteller presented the Tax Collector’s Monthly Report to Taxing Districts for the month of February 2014 to the Commissioners for review. She reported tax bills have been mailed out.

Solicitor

Mr. Brant highlighted the following from his written report to the Board of Commissioners:

1. **Home Depot Tax Assessment Appeal**—Home Depot has filed a tax assessment appeal. Since a significant amount of money is involved, Mr. Brant requested authorization to intervene and monitor the situation on behalf of the Township. Commissioner Kaiser asked how much time Mr. Brant would spend monitoring the appeal. Mr. Brant said very little time will be expended. He estimated it would be 2 ½ to 3 hours of work, as the School District usually takes the lead on these matters.

After discussion, Commissioner Watson made a motion to authorize Solicitor Brant to intervene and monitor the Home Depot Tax Assessment Appeal. Commissioner Kaiser seconded the motion and it was unanimously approved. Vote was 3-0 in favor.

2. **Ravensclaw Tax Assessment Appeal** —Mr. Brant requested that this matter be discussed in executive session, as it involves litigation.
3. **Ordinance No. 307**—Mr. Brant presented Ordinance No. 307, the Lower Pottsgrove Township Stormwater Management Ordinance, for the Board’s consideration. Mr. Brant advised that Chad Camburn and Scott Exley compiled the ordinance and a summary has been advertised. Mr. Exley stated that the ordinance is in line with MS4 requirements.

Commissioner Watson made a motion to approve Ordinance No. 307, the Lower Pottsgrove Township Stormwater Management. Commissioner Kaiser seconded the motion and it was unanimously approved. Vote was 3-0 in favor.

4. **Southview Development Maintenance Agreement**—Mr. Brant recommended that this matter be tabled, as he was not comfortable with the status of various documents.

Parks and Recreation and Pottstown Metropolitan Regional Planning

Mr. Wagner advised that going forward, he will present a monthly report prepared by Parks and Recreation Board Chair Rich Wood. He also reported that the Parks and Recreation Board will be focusing on and discussing one Township park at each of its monthly meetings.

Mr. Wagner also reported on the following:

1. **CDBG (Community Development Block Grant)**—Commissioner Watson and Jen Griffith will be attending an informational workshop on this grant process. The

Township intends to apply for this grant to bring Sanatoga Park into ADA compliance by paving from the parking lot to the bandshell and retrofitting the existing restrooms.

2. **Pottstown Metropolitan Regional Planning**—There will be a meeting held on March 26, 2014. Discussion topics will include the Regional Recreation Coordinator Circuit Rider Grant and the Delaware Valley Regional Planning Commission highway analysis.

Lower Pottsgrove Township Authority

Mr. Wagner delivered the following report:

1. **FOG (Fats, Oil and Grease) Ordinance**—The Authority established a FOG Program for the reduction of fats, oils and grease entering the Township's Sewage System. This Program now needs to be updated and the amended FOG Program will be formally adopted, by resolution, by the Lower Pottsgrove Township Authority. The Authority will then recommend that the Board of Commissioners officially adopt the Program. The FOG Program will be adopted by the Board of Commissioners by ordinance.
2. **Chapter 94 Report**—This report has been submitted to BCM, the Pottstown Borough Authority engineer.

CORRESPONDENCE AND INFORMATION:

Town Hall Meeting—Commissioner Klotz announced the Montgomery County Commissioners Town Hall Meeting is rescheduled for Monday, March 24, 2014 at 7:00 p.m. at the Lower Pottsgrove Township Municipal Building.

NARI-BIE Home Show—Commissioner Klotz announced the Home Show VIP event will be held at the Sunnybrook on Thursday, March 6, 2014 from 5:00 p.m. to 7:00 p.m.

OLD BUSINESS:

None.

SUBDIVISION AND LAND DEVELOPMENT:

None.

NEW BUSINESS:

Township Holidays for Non-Uniformed Employees—Mr. Wagner presented a revised list of paid holidays for non-uniformed employees. He asked the Board to consider closing the Township office on Primary Election Day and the day after Thanksgiving, in exchange for keeping the office open on Columbus Day and Veterans' Day.

Commissioner Kaiser made a motion to approve the revised list of paid holidays for Lower Pottsgrove Township Non-Uniformed Employees. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 3-0 in favor.

RESOLUTIONS AND ORDINANCES:

Ordinance No. 307—See SOLICITOR'S REPORT.

Resolution No. 1011-14—See REPORTS: Police.

Resolution No. 1012-14—Commissioner Kaiser made a motion to approve Resolution No. 1012-14, appointing Joseph Groff to the Lower Pottsgrove Township Planning Commission. Commissioner Kaiser seconded the motion and it was unanimously approved. Vote was 3-0 in favor. Mr. Groff was present at the meeting.

Resolution No. 1014-14—Mr. Wagner presented Resolution No. 1014-14 for the Board's consideration. The resolution authorizes the Township to submit an Application for Traffic Signal Approval to the Pennsylvania Department of Transportation (PennDOT) for a flasher sign on Kauffman Road. The sign is part of The Pottsgrove School District's expansion plan.

Commissioner Klotz asked if approval of the Traffic Signal Application was premature because the School District has not yet received land development approval. Mr. Wagner said the plan has preliminary/final approval from the Township Planning Commission. Mr. Exley said it is proper to go through the process now; if any problems would arise, the process would stop.

After discussion, it was the consensus of the Board to table approval of Resolution No. 1014-14 until after the Commissioners have had the opportunity to see the location of the proposed traffic signal.

Warrant—Warrant No. 822 for February 2014 will be distributed via email for the Commissioners' review.

COMMISSIONERS COMMENTS:

Commissioner Kaiser welcomed Chuck Bleakley and Joe Groff and thanked them for serving on the Township's Civil Service Commission and Planning Commission, respectively. Commissioner Watson and Commissioner Klotz congratulated and thanked them both for volunteering.

Last week, **Commissioner Klotz** had the opportunity to speak to several officers in the Police Department. In the course of normal conversation, Commissioner Klotz received positive feedback and he feels the Department is headed in the right direction. He offered kudos to Chief of Police Michael Foltz and credited him for the good things that are happening in the Police Department.

Commissioner Klotz asked Fire Marshal Lew Babel to thank both fire companies for being on standby during the recent snow storms.

The Board recessed into an executive session at 7:43 p.m. and reserved the right to reconvene into public session to take action.

There being no further business, the public meeting was adjourned at 7:43 p.m. Next regularly scheduled meeting will be held on Thursday, March 20, 2014 at 7:00 p.m.

The Board of Commissioners reconvened into public session at 7:59 p.m. Commissioner Kaiser made a motion, which was seconded by Commissioner Watson, to authorize Solicitor Brant to execute the Stipulation Agreement for Ravensclaw. Motion carried by a vote of 3-0.

Public meeting adjourned at 8:00 p.m.

Respectfully submitted,

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

Michele M. Cappelletti
Secretary