

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS
March 20, 2014

The Board of Commissioners of Lower Pottsgrove Township held its regularly scheduled work session meeting on Thursday, March 20, 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 attended:

Board of Commissioners: Bruce L. Foltz, President; Stephen M. Klotz, Vice President; Shawn Watson and Jonathan H. Spadt.

Wendy McKenna, Solicitor; Edward C. Wagner, Manager; Michele Cappelletti, Secretary.

Commissioner James Kaiser participated in the meeting via speakerphone.

Commissioner Foltz announced the meeting was being recorded.

APPROVAL OF MINUTES:

Commissioner Klotz made a motion to approve the meeting minutes of the March 3, 2014 Board of Commissioners meeting. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

COMMENTS FROM VISITORS:

Jim Decker, 1721 N. Sanatoga Road, commended Chief Foltz for going over and above his duties. He witnessed the Chief plowing snow and on patrol duty in the late evening hours. Mr. Decker provided the Board with a letter and Mr. Wagner read the letter into the record.

Tony Doyle, 1745 Kepler Road, recalled in 2011, the Township was awarded a grant for \$19,000 to prepare a Master Plan for Sanatoga Park and Gerald Richards Park. He asked if the Community Development Block Grant (CDBG) was for another Master Plan. Mr. Wagner advised the CDBG has nothing to with the Master Plan and if the Township is awarded the grant, the funds will be used to address accessibility issues at Sanatoga Park.

Mr. Doyle is concerned about taking money from Reserves and asked if the Township anticipates additional revenue from development in 2015. Commissioner Foltz responded that changes have been made and the Township is taking measures to encourage development. Mr. Wagner said there are developers who are serious about developing in the Township but he could not reveal the details of the projects at this time.

Mr. Doyle said he does not support giving developers' approval to build 250 homes on a piece of property that was zoned for 185. Mr. Doyle does support an impact fee on residential development because he is concerned about the effect of more housing on the Police Department and the Pottsgrove School District. In his opinion, the money taken

in should go to the School District because they will be affected the most. For the record, Mr. Doyle stated he is for impact fees; he is not for more development on less ground.

Commissioner Klotz has never thought a development with more houses on it than it should have is a good idea. He said when considering development, the Board has always looked to get open space and at what the best impact is for the community. The Board is looking to bring more business into this community to offset taxes and Commissioner Klotz does not support collecting impact fees for Township. He emphasized he does not support collecting impact fees and turning them over to the School District.

Mr. Doyle's main concern is that the developer of the proposed project on Pleasantview and Buchert Road will increase the number of units from 175 to 250 and the impact of a development that size on the community. Mr. Wagner advised that the proposed development received final plan approval in 2005 and the developer has vested rights for 175 single family homes.

Business Route 422—Maria Reyes from State Representative Mark Painter's office advised there is a petition signed by East High Street business owners who support the name change to Business Route 422. Someone from her office will be bringing the petition to tonight's meeting.

Eagle Scout—Commissioner Foltz acknowledged Eagle Scout Reese Wallace, who was present to observe the meeting for his Citizenship in the Community Merit Badge. Commissioner Foltz said it was a pleasure to see a young person follow through with scouting and, on behalf of the Commissioners, expressed his appreciation. Commissioner Spadt also acknowledged Reese's father, who attended the meeting with him.

CORRESPONDENCE AND INFORMATION:

Town Hall Meeting—Commissioner Foltz announced the Montgomery County Commissioners Town Hall Meeting will be held at the Township Municipal Building on Monday, March 24, 2014 at 7:00 p.m.

Request for Waiver of Trash Fees—Mr. Wagner reported the residents at 73 Pine Hurst Drive have requested a waiver of sewer and trash fees until June 1, 2014. The property owners are not living in the house due to a fire. The Authority approved waiving the sewer bill contingent upon issuance of the U&O. Mr. Wagner asked the Board of Commissioners to consider doing the same for the trash fees.

Commissioner Spadt made a motion to approve the waiver of trash fees for 73 Pine Hurst Drive until such time that a Use and Occupancy Permit (U&O) is issued by the Township. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

OLD BUSINESS:

Discussion for the Renaming of High Street to Route 422 Business—Mike Lavanga from State Representative Painter's office presented a petition that was circulated among Sanatoga businesses along High Street. About thirty businesses signed in support of a resolution to have the designation of Business Route 422 applied to High Street. The Business Route would start in the Stowe (West Pottsgrove) area and continue to Evergreen Road in Sanatoga (Lower Pottsgrove). Mr. Lavanga advised it would extend into Berks County as well.

Commissioner Foltz asked for some advantages of having the Business Route designation. Mr. Lavanga said area businesses could get additional traffic coming off of Route 422; for example, if someone is shopping at the Limerick Outlets, and they see Business Route 422, they may come off the road and patronize some of the businesses in Lower Pottsgrove.

Mr. Wagner asked why the Business Route doesn't extend into Limerick Township. Mr. Lavanga said they feel that the natural place for it to begin is the Sanatoga Interchange to benefit this area.

Commissioner Spadt said there are a number of individual names on the petition that are not necessarily business names. He said it is always interesting to find out, from those who didn't sign the petition, their reasons for not signing it. Commissioner Spadt would like to ascertain what businesses actually signed it and to do some homework, through staff, on who didn't sign it and why.

Commissioner Klotz owned a business on a Business Route so he is familiar with it. He had questions about the petition, as some business names listed had no corresponding signatures. He would also like to know how many businesses are located on High Street.

Commissioner Klotz pointed out that some of the signers are business owners but they do not own the property where their business is located. He does not disagree personally with some of the ideas Mr. Lavanga presented but said the Board has to look at it from everyone's benefit.

Commissioner Spadt suggested that staff research the businesses in that area and find out who didn't sign the petition and why. Maria Reyes advised she personally reached out to businesses and found that those who didn't sign were either closed or the secretary at the front desk didn't feel comfortable signing for the business owner.

Commissioner Foltz's concern was that a business's literature, signage, letterhead, etc. would have to be changed to reflect a Business Route 422 address. Mr. Lavanga explained the designation is to add on to the street name, so businesses would still maintain their High Street addresses. They could add the designation of Business Route 422 if so desired. Commissioner Foltz was also concerned that the designation would be confusing when using a GPS device.

After discussion, it was the consensus of the Board to take the matter under advisement

pending further information.

Tony Doyle commented he often encountered Business Routes when he was driving tractor-trailer. He felt all that was needed were signs indicating "422 Business" when coming off of Route 422 and this would get people in and out of town. He thinks the idea is good.

NEW BUSINESS:

Sanatoga Green Special Counsel—Mr. Wagner advised that Bob Brant represented Sanatoga Green before he became Township Solicitor. Since it would be a conflict for Mr. Brant to represent the developer or the Township on the Sanatoga Green project, he recommends that the Board appoint Michael Furey as Special Counsel for this development. Mr. Furey's billing rate is the \$130.00 per hour, which is the same as Mr. Brant's.

Commissioner Watson made a motion to appoint Michael Furey as Special Counsel for the Sanatoga Green Development at a rate of \$130.00 per hour. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Equipment Rental and Labor Agreement—Mr. Wagner advised the bids for the Equipment Rental and Labor Agreement were opened on Wednesday, March 19, 2014 at 1:45 p.m. The following bids were received:

COMPANY NAME	COMPANY ADDRESS	BID (\$)
Reid Paving	1850 Swamp Pike Gilbertsville, PA 19525-9668	\$138,850.00
Reading Site Contractors (Reading Materials)	392 Sanatoga Road Pottstown, PA 19464	\$173,625.00
Innovative Construction Services, Inc.	P. O. Box 262 Folcroft, PA 19032 Emailed to inncon@rcn.com	\$132,225.00

The bid documents still have to be reviewed by the Solicitor but the lowest bid was submitted by Innovative Construction Services, Inc. in the amount of \$132,225.00.

Commissioner Klotz asked if we knew anything about Innovative Construction Services. Mr. Wagner advised the company is located in Folcroft, Pennsylvania, and the representative advised at the bid opening that due to the lack of work from PennDOT, they need to expand their territory and be more aggressive. Commissioner Klotz was concerned about the distance from Folcroft to the Township and how that would affect us when we need blacktop done. Mr. Wagner assumed the materials would be coming from

Sanatoga. Commissioner Foltz noted that the paving jobs would be scheduled in advance.

Commissioner Spadt made a motion to award the 2014-2015 Equipment Rental and Labor Agreement to Innovative Construction Services, Inc., Folcroft, Pennsylvania, contingent upon the Solicitor's review of the bid documents. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Community Development Block Grant (CDBG)—Commissioner Watson made a motion to authorize Township staff to file the application for the Community Development Block Grant, including all understandings and assurances, and to identify Ed Wagner, Township Manager, as the official representative of the application and to direct and authorize Ed Wagner to act in connection with the application and to provide such additional information as may be required. Commissioner Spadt seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

RESOLUTIONS AND ORDINANCES:

FOG Ordinance No. 105-A—Mr. Wagner advised that the FOG (Fat, Oil and Grease) Ordinance authorizes the Lower Pottsgrove Township Authority (LPTA) to inspect various restaurants in the Township. Since LPTA's FOG Program mirrors the Pottstown Borough Authority's (PBA) Program, we need to amend and update our ordinance to be consistent with Borough regulations. PBA reviewed proposed Ordinance No. 105-A and had no comments.

Commissioner Spadt asked why the Township cares about inspecting the grease traps. Mr. Wagner advised the grease traps drain into the sewer system and ultimately can clog the lines. He explained there was a serious incident last week where 4 to 5 feet of raw sewage backed up into a woman's basement. This happened because the main line, which is private, was lined with grease.

Commissioner Spadt made a motion to advertise Ordinance No. 105-A for consideration by the Board of Commissioners on April 24, 2014. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Resolution No.1014-14 PennDOT Traffic Signal Application—Mr. Wagner emailed pictures of the location of a proposed traffic signal on Kauffman Road to the Board of Commissioners. This traffic signal is part of the Pottsgrove School District's \$33 million expansion plan.

Commissioner Klotz asked if the Township checked with the neighbors about the placement of the signal. Mr. Wagner advised he did not but he can contact the one neighbor who would be affected. Commissioner Foltz asked if the Township has a say in this or if it is a PennDOT decision. Mr. Wagner said the municipality has to be the applicant for the traffic signal. If the Township does not approve it, the traffic signal would stay where it is and it could possibly be in violation of the School District's

expansion plan. After discussion, no action was taken and the matter was tabled to next meeting.

Resolution No. 1015-14—Commissioner Spadt made a motion to reappoint Patty Bleakley to the Lower Pottsgrove Township Parks and Recreation Board. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Warrant #822— Commissioner Klotz made a motion to approve Warrant #822 for the month of February 2014. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Acceptance of Treasurer's Report—Commissioner Klotz made a motion to accept the Treasurer's Report for the month of February 2014, as submitted by Jennifer Marsteller. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

COMMISSIONERS' COMMENTS:

Commissioner Spadt reflected on Jim Decker's letter regarding Chief Foltz. He echoed Mr. Decker's comments and said his experiences with the Chief have been the same. Commissioner Spadt said Chief Foltz is an exceptionally good asset to the entire community and he thanked Mr. Decker for taking the time to write the letter.

Commissioner Watson thanked Chief Foltz and all of the police officers for their hard work on the three-day accreditation process. He reported that the panel is recommending accreditation and a lot of time and effort were put into the process.

Mr. Decker asked what accreditation was and Mr. Wagner and Commissioner Foltz explained the accreditation process. **Commissioner Spadt** acknowledged that Ofc. Scott Weidenhammer was the primary officer working with Chief Foltz on the accreditation process.

Commissioner Klotz also thanked the Chief and the entire Police Department. He stated that Ofc. Scott Weidenhammer had a very big part in the accreditation process and Ofc. Slothower was also involved. The entire Department contributed and he thanked all of them because this is a big accomplishment for Lower Pottsgrove.

Commissioner Klotz also thanked Jim Decker for his comments about Chief Foltz. He said it is always nice to hear positive comments and we know we have a good one (in Chief Foltz). Commissioner Klotz said Chief Foltz is someone who is very involved and cares a lot about this community and Mr. Decker's comments show that.

Commissioner Klotz recognized Patty Bleakley and thanked her personally for the work she has put into the Parks and Recreation Board.

Commissioner Klotz reported a police committee meeting was held before tonight's meeting. He reported on the following discussions from Police Committee:

- The Department will most likely have to replace the portable radios in 2015. There is an opportunity for 0% financing over 5 years. Total estimated cost of the radios is approximately \$110,000 and we are going to start budgeting for that.
- The desktop computers are about 7 years old and outdated. They run on Windows XP, which will no longer be supported by Microsoft after April 8th. There was discussion in Police Committee on whether or not to upgrade the computers at approximately \$300 each or to purchase new for a good price on state bid.
- 10 laptops also need updating. This can be postponed because the laptops are in the patrol cars and they go through the County system.
- Chief Foltz does have some money in his budget but he is looking for grant money to help fund these projects. Total is approximately \$38,000 for a new server and new computers. Mr. Wagner said the Township will have 1 mega server because it costs less; there are currently 2 servers. There will be 4 virtual servers: One to be used as an email archive; one for the laptops, one for Visual Alert and one for Township. Mr. Wagner reported we need an email archive system to store all the emails to comply with the Right to Know Law.

Commissioner Spadt said his firm just updated many of their computers, monitors, etc. He did not know what was done with the computers that were replaced, which weren't that old, and asked what the Police Department needed. Mr. Wagner advised they need just the units, with the Windows 7 operating system. Commissioner Spadt said there may be some laptops available, which could be donated if they match up with the needs of the Department. He will look into it.

Commissioner Foltz said some time ago, our UPS systems were failing in the Police Department. The IT consultant attributed this issue to spikes in voltage; however, everything was checked and it is not an electrical problem. Commissioner Foltz said there is a mismatch of equipment being used in the Department and new equipment should correct this problem.

Commissioner Klotz added that our IT consultant billed for 400 hrs last year. He said most Townships that have updated their computer systems have a service plan. The average plan is about 137 hours, so the Township should realize significant savings in IT costs.

Commissioner Foltz commented that the Road Crew had a very rough year this year. There was snow storm after snow storm and they had very little rest, sometimes not going home at all. He said they did a great job and he was surprised at how little we paid the

subcontractors. He expressed his appreciation to the Road Crew for putting in a lot of hours and hard work this Winter.

Commissioner Foltz said there is an article on the Sanatoga Post about how the police recently had to face a different kind of threat—bedbugs. The police arrested subjects who were infested with bedbugs and lice and the infestation spread to the vehicles and officers. Measures had to be taken to alleviate the problem.

Via speakerphone, **Commissioner Kaiser** congratulated Chief Foltz and the entire Department and he looks forward to the Department getting the accreditation it deserves. He said it has not been just a few months (of preparation), it has been years in the making. Thanks to the whole department.

Commissioner Kaiser also personally thanked Patty Bleakley for volunteering again for the Parks and Rec Board.

MANAGER'S COMMENTS:

Mr. Wagner advised that last week, the Township received a phone call from a panicked mom living in Walnut Ridge Estates. Ed Wagner and Rich Yoder went on site and discovered a massive sewer back-up. Even though it was a private line, the Township investigated and found the manhole was buried five feet deep with dirt. Rich Yoder stayed until dark, and was not paid overtime, and Chief Foltz convinced the residents to leave for the night. Mr. Wagner said it took a total team effort from the Sewer Authority, Administration and Police Department to handle this serious issue.

SOLICITOR'S COMMENTS:

Solicitor Wendy McKenna said it was a pleasure to meet everyone. She said the Board would not see her often at the meetings but she works with Bob Brant a good bit behind the scenes. She expressed appreciation for the appointment.

ADDITIONAL COMMENTS:

Tony Doyle said he has asked several times to have comments by visitors at the end of the meeting. He said on the Agenda, under New Business, there is a motion to award the Equipment Rental Bid to Company X pending the solicitor's review. He felt this was not enough information. He said in the past, who bid, what they bid on and the amount of the bid was discussed at the meeting and, as a resident, he wants this information. Mrs. Cappelletti said all of that information will be included in the official minutes of tonight's meeting.

There being no further business, the public meeting adjourned 7:49 p.m. Next meeting will be held on Monday, April 7, 2014.

Respectfully submitted,

Michele M. Cappelletti

Michele M. Cappelletti
Township Secretary