

**LOWER POTTS GROVE TOWNSHIP    BOARD OF COMMISSIONERS**  
**August 4, 2014**

**PUBLIC HEARING**

**Ordinance No. 309—An Ordinance to Establish the Gateway Mixed-Use (GMU) District and Amending §250-196. Permitted Signs and Restrictions**

**Ordinance No. 310—An Ordinance to Establish the Gateway Residential Overlay (GRO) District and Amending §250-196. Permitted Signs and Restrictions**

**Ordinance No. 311—An Ordinance Amending the Zoning Map of Lower Pottsgrove Township By Changing the Zoning Classification of Certain Tracts of Ground Located in the Township of Lower Pottsgrove From LI – Limited Industrial District To GMU – Gateway Mixed-Use District.**

**Ordinance 312—An Ordinance Amending the Zoning Map of Lower Pottsgrove Township By Applying the GRO – Gateway Residential Overlay District to Certain Tracts of Ground Located in the Township of Lower Pottsgrove.**

At 6:30 p.m., Commissioner Foltz announced a public hearing would be held tonight, and then turned the hearing over to Michael E. Furey. Mr. Furey introduced himself and advised he is Special Counsel to the Board on this public matter. Mr. Furey announced the Board held an executive session with him to discuss possible litigation just prior to the public hearing.

Commissioner Klotz made a motion to open the public hearing to consider Ordinances 309, 310, 311 and 312. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor. Commissioner James Kaiser was absent from the meeting.

Mr. Furey stated the notes for the public hearing were being taken by a court reporter. Mr. Furey introduced the following Board Exhibits into the record:

- Exhibit 1            Text of Ordinance 309 – GMU
- Exhibit 2            Text of Ordinance 310 – GRO Overlay
- Exhibit 3            Text of Ordinance 311 – Rezoning certain parcels from LI to GMU
- Exhibit 4            Text of Ordinance 312 – GRO overlay applicable to a portion of GMU
- Exhibit 5            Revised Zoning Map
- Exhibit 6            Notices for the Public Hearing originally scheduled for July 7, 2014
- Exhibit 7            Notices for the Public Hearing scheduled for August 4, 2014
- Exhibit 8            Proofs of Publication – Mercury (Advertising Notices and Map) for August 4, 2014 hearing and meeting
- Exhibit 9            Affidavit of Ed Wagner
- Exhibit 10           Affidavit of Joseph Groff
- Exhibit 11           Affidavit of Michele Cappelletti
- Exhibit 12           Minutes of the Lower Pottsgrove Planning Commission meeting June 10, 2014
- Exhibit 13           Minutes of the Lower Pottsgrove Planning Commission meeting July 21, 2014
- Exhibit 14           Review letter from Montgomery County Planning Commission dated June 10, 2014
- Exhibit 15           Review letter from Montgomery County Planning Commission dated July 16, 2014
- Exhibit 16           Letter dated August 4, 2014 from Michael Clement, counsel to Sanatoga Land Holdings, Montgomery Del Val Associates and the Tornetta family

Mr. Furey called Ed Wagner, Township Manager, to testify and Mr. Wagner was sworn in by court reporter Kim Bursner. Mr. Wagner testified he was the Township Manager and provided a summary of the GMU and GRO ordinances. Mr. Wagner also reviewed the portions of the revised zoning maps that showed where the GMU and GRO Districts would be located. Mr. Furey noted that the Montgomery County Planning Commission raised the issue that there were R-1 parcels, but Lower Pottsgrove Township Planning Commission and staff recommended that they actually be removed from the rezoning. Mr. Wagner confirmed this was correct.

At the conclusion of Mr. Wagner's testimony, Mr. Furey asked for public comment or testimony.

Mr. Paul Tornetta testified on behalf of Sanatoga Land Holdings and Montgomery Del Val Associates. Mr. Furey stated that Mr. Tornetta is an attorney and the Township received a letter from his counsel. After being sworn in, Mr. Tornetta respectfully requested a continuance on the GMU portion of the public hearing or to keep the public hearing portion open until next month when his attorney and expert witnesses will not be on vacation and can provide a merits of the case to explain some of their serious concerns with the ordinance. Commissioner Watson asked Mr. Tornetta if his attorney was notified of the hearing more than 30 days ago. Mr. Tornetta replied they cannot be here tonight due to vacation.

Attorney Robert Iannozzi was present on behalf of the applicant, Castle Caldecott, LLC. Mr. Iannozzi stated, with all due respect to Mr. Tornetta, the ordinances are old familiars and they've been before the Board for over a year. He said the ordinances were duly advertised so there is no question as to whether or not the appropriate notice was afforded. Mr. Iannozzi said if there is an objection, he would respectfully submit that the objection and/or expert testimony should have been presented this evening; if this is not the case, he asked that the Board consider enactment consideration and allow the applicant to get started with his development. He said there is significant interest in the property and they are prepared to begin the land development proceedings immediately for the hotel piece. The applicant was present at the hearing to answer any questions specific to the applicant.

Mr. Tornetta rebutted and said the pieces they have assembled comprise the vast majority of the undeveloped land for the GMU portion. He said the issue on the sustainable development credits, as it is written now, severely curtails the development of their parcel. He again asked the Board to consider either keeping the meeting open or to have a strict continuance so they could present their testimony.

Mr. Furey asked if there were any other members of the public who wished to present any testimony or evidence. Seeing no other individuals who wanted to speak on the matter, Mr. Furey advised the issue before the Board was whether to close the public hearing and enter into a public meeting immediately thereafter, as advertised, for consideration in regard to the ordinances or to continue the matter to September 25, 2014 as requested by Mr. Tornetta and his attorney Mr. Clement.

Commissioner Klotz made a motion to close the public hearing. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

The Board of Commissioners of Lower Pottsgrove Township held its duly advertised public meeting on Monday, August 4, 2014 at the Lower Pottsgrove Township Municipal Building, 2199 Buchert Road, Pottstown, Pennsylvania. Meeting was called to order at 6:45 p.m. and the Pledge of Allegiance was recited. After the Pledge of Allegiance, Commissioner President Foltz requested a moment of silence in memory of Marilyn Shade, wife of former Lower Pottsgrove Chief of Police Mike Shade. The following attended:

**Board of Commissioners:** Bruce L. Foltz, President; Stephen M. Klotz, Vice President; Shawn D. Watson and James W. Vlahos. Commissioner James Kaiser was absent.

Blake Dunbar, 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; Chad Camburn, Township Engineer and Michele Cappelletti, Secretary.

Commissioner Foltz announced the meeting was being recorded.

#### **RESOLUTIONS AND ORDINANCES:**

**Ordinance No. 309**—Commissioner Klotz made a motion to approve Ordinance No. 309, An Ordinance to Establish the Gateway Mixed-Use (GMU) District and Amending §250-196. Permitted Signs and Restrictions. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Don Woodley, 209 Evergreen Road, said Commissioner Foltz did not start the meeting with “Comments from Visitors” and there were people who wanted to comment on the ordinances that the Board was about to adopt. Commissioner Foltz said comments should have been made during the hearing. Mr. Woodley said they were all under the impression that the hearing was for the professionals. Mr. Furey advised the Board could allow public comment at this time. Commissioner Klotz retracted his motion and public comment was allowed.

Mr. Woodley said there are approximately 6 houses on Evergreen Road that face Limerick Township and if the Board adopts the GMU ordinance, the residents feel their houses will be unmarketable. Mr. Woodley said they have half-acre properties and a lawyer or hairdresser could not come in and buy these properties without a variance. He said right now they look at a rock pile. Mr. Woodley and his neighbor have easements and access roads on either side and there is 1 acre maximum, which still doesn't fit into the 2 acres needed to have a business, which was his understanding under the ordinance.

Debi Patton, 193 Evergreen Road, said she has the Sanatoga nursing home behind her property, which is commercial, and the rock pile directly across from the house. She did not believe, as stated, the residents have known for over a year that the Township was planning on changing the zoning to strictly residential when they are sitting in a commercial area.

Ms. Patton asked how many parcels are affected. Mr. Furey advised 36 parcels are being rezoned. Ms. Patton said the properties should stay commercial and asked why they are being zoned residential. Mr. Furey explained the parcels being rezoned are already zoned Limited Industrial (LI) which provides for various commercial uses and the GRO provides for a certain

overlay in regard to retirement communities. Mr. Furey said it is surely not being rezoned to residential; there are a number of commercial uses in the GMU.

Ms. Patton asked why their properties could not have been included with the properties that were rezoned on South Park Road. Mr. Furey explained those lots are zoned R-1 and Montgomery County Planning Commission raised the issue that some R-1 lots were being rezoned. Because everything else, except for a small sliver of one property, was in the Limited Industrial District, it was decided to move Limited Industrial to GMU and to leave those properties zoned R-1 as R-1. Mr. Furey advised Ms. Patton's property is not being rezoned to just residential; it is moving from LI to GMU and, if her property is in the area of the GRO Overlay, she is also affected by that ordinance.

Ms. Patton expressed concern about the 2 acre minimum lot size required by the ordinance. It was her feeling that the matter needed to be moved out, as the residents sat there thinking the Board was going to go into the next hearing, and none of them said anything. She said there are a lot of concerns with a lot of people that need to be addressed and tonight is not enough for you to decide with our lives.

Flo Hendrickson, 217 Evergreen Road, said she has had 2 realtors and her property is unmarketable. She said no one wants to buy in that area because of the development and she can't sell the house for a fair market price. Mr. Wagner asked if the development was in Lower Pottsgrove or Limerick. She mentioned the rock pile across from her and Mr. Wagner advised that is in Limerick Township. Ms. Hendrickson said if the Township wants to buy the house and knock it down, by all means do, because we are at a point that we can't put it up for sale because nobody will buy it.

Mr. Tornetta said your residents make a very good point; the commercial development happening in Limerick is defining across the street in Lower Pottsgrove Township. Mr. Tornetta said no matter what the Township's planning consultant tries to create with the GMU, the area has been defined. Mr. Tornetta said he is not the expert, he has experts who can explain that to the Board, but the GMU is a mistake as it is written. Mr. Tornetta did not see how 30 days will mean anything for them to present to the Board some things that may have been missed. Mr. Wagner noted, for the record, it is well over 30 days because Mr. Tornetta's attorney cannot make it until September 25. Mr. Tornetta confirmed that was correct.

Lower Pottsgrove resident John Rossi spoke on his own behalf and was not representing any other club, group or board. He read in the Mercury infrastructure improvements, such as traffic calming, traffic signals, etc., need to be done when developing that land and Limerick and Lower Pottsgrove Townships will each have to come up with \$2 million to make those improvements. It is Mr. Rossi's opinion that the developer should make the improvements. He is also concerned about the additional burden single family homes, twin homes and mid-rise garden apartments will have on the Township's schools, Police, Fire and EMS Departments. Mr. Rossi is not against progress but he feels these things should be looked at before final decisions are made because it not only affects the people across the street, it affects everyone who pays taxes in Lower Pottsgrove Township.

Ms. Patton asked if the traffic situation has been analyzed because there is heavy traffic already from the quarry, nuclear power plant, outlets and 2 nursing homes. Mr. Wagner advised if there

is any proposed development, the developer will have to do a traffic study, and the results will dictate what type of improvements the developer will have to put in. Ms. Patton also remarked that the speed limit on Evergreen Road was recently changed to 35 mph and no one adheres to it. Police Commissioner Klotz and Chief Foltz will discuss and address this problem. Ms. Patton also asked who maintains the first traffic light at Lightcap and Evergreen Roads. Mr. Wagner advised Limerick maintains that light.

Don Woodley asked whatever happened to working together with Limerick on zoning because Limerick is looking at commercial and we are looking at residential. Mr. Wagner said Gateway Mixed Use (GMU) is commercial and Mr. Woodley's property is Gateway Mixed Use with an overlay Gateway Residential. Mr. Woodley asked if a professional office could move into his house and Mr. Wagner responded yes, with a variance.

Commissioner Foltz said the Board was going to caucus on the matter and the Board and Mr. Furey left public session at 7:05 p.m. The Board reconvened into public session at 7:10 p.m. Commissioner Foltz started by saying the Township has no control over the rock pile in Limerick Township and Lower Pottsgrove Township Commissioners can do nothing about that. With that said, Commissioner Foltz advised the reason the Board caucused was because there were things he did not understand that were brought up tonight and he wanted to get clarification from counsel. He said there were also things the public did not understand and he then turned the meeting over to Mr. Furey so he could provide an explanation.

Mr. Furey addressed the property owners and explained that right now, their properties are zoned Limited Industrial. He explained if a property owner wanted to use the property in some type of use other than as permitted under the LI District, he/she would need a use variance and perhaps dimensional variances as well. The Board is looking at GMU rezoning as affording the property owners more ability to develop and use their properties and to give the property owners more ability to make it marketable or usable. The Township looks at it as a benefit to anyone in the LI to have the GMU available.

Regarding the Gateway Resident Overlay (GRO) District, Mr. Furey said property owners would have to decide they want to dedicate the use for those overlay uses, such as an assisted living facility or an age-restricted facility, and would choose to be governed by the overlay district, otherwise they are governed by the GMU. He also gave an explanation of existing, lawful non-conforming uses.

Don Woodley asked what type of uses could be put on a half-acre property. Mr. Furey advised you would need a dimensional variance with regard to any of those uses. Mr. Furey explained the variance does not have to be given; it depends on the use and depends on what the zoning hearing board determines appropriate and whether the property owner can prove unnecessary hardship with regard to the dimensional variance.

Mr. Furey advised the minimum lot area of LI is 40,000 square feet, a builder's acre. Mr. Woodley said there are 6 properties that are all half-acres. Mr. Furey said they are undersized, non-conforming lots so they are existing non-conforming uses anyway if they are residential.

Commissioner Klotz felt there would be a better chance of getting a professional office on a half-acre under GMU than LI because the property owner would only need a dimensional variance

and would not require a use variance. He said the GMU benefits the property owner and the Light Industrial hurts you. He felt residents would have a better chance selling their properties at a fair market value under the GMU rather than the LI. Mr. Woodley said that's what he wanted to hear. Ms. Patton expressed her concern about dimensional variances. Commissioner Foltz said the Board and Solicitor will work with residents.

Mr. Tornetta commented on the limitations, restrictions and regulations that are imposed on the GMU, particularly the sustainable credits, which would require them to pass that cost on to a tenant. He asked why tenants would come to Lower Pottsgrove when they could go across the street where they don't have to put in green roofs, solar panels and waterless urinals. Mr. Tornetta said our experts will show that there are 50% vacancies in other areas like ours where ordinances like this were put in and again asked for September 25.

Joe Zlomek of the Sanatoga Post asked for an explanation of the sustainable credits and how they figure into this ordinance. Mr. Wagner said you would have to read the whole ordinance and it is very in-depth, about 25 pages. Mr. Zlomek understood but said the issue has been raised here and there's a public who hasn't read the entire ordinance either. Mr. Wagner said it's all been published. Mr. Zlomek was confident of that and asked Mr. Wagner to please explain it. Mr. Wagner advised it is a point system and proceeded to read the sustainable design initiatives from Ordinance No. 309. Mr. Zlomek asked how the credits benefit the Township and Mr. Wagner responded it gets a good quality development. Mr. Zlomek asked how this affects the developers involved and Mr. Wagner said Mr. Zlomek would have to ask the developers.

There being no further discussion, Commissioner Foltz asked for a motion on the ordinances.

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Mr. Furey left the meeting after the Board voted on the ordinances.

**EXECUTIVE SESSION:**

Blake Dunbar announced prior to tonight's meeting, from 6:00 p.m. to 6:25 p.m., there was an executive session to discuss two matters: potential litigation and personnel matters involving Township employees.

**COMMENTS FROM VISITORS:**

**Tom Troutman**, E. High Street, said he likes the bulletproof wall at the front counter but asked if a speaker system could be installed because it is difficult to hear through the glass. Commissioner Foltz said we will look into it.

**Mr. Troutman** was concerned when he saw the Dollar General article in the newspaper. He said the Township has a Community Revitalization Plan that has guidelines for the High Street Corridor. He hoped the Board would adhere to those guidelines so everything in the Village District and the High Street Corridor is architecturally correct and appealing to the character of the village of Sanatoga.

**Mr. Rossi** said Commissioner Foltz made a comment that he did not understand the overlay. He asked how Commissioner Foltz could discuss the overlay and ask the Board to vote on it if he did not understand it. Commissioner Klotz explained that was why we went into the back. He said there was some confusion, as the Board thought the residents would benefit by doing this, not harm them, and that was Commissioner Foltz's biggest concern. Commissioner Klotz said they had questions, they met with counsel inside and that's why they were able to vote. Commissioner Foltz said he was trying to protect the residents.

**Tony Doyle**, 1745 Kepler Road, asked if there has been any more talk about the LED sign in front of the Township building. Commissioner Foltz said the Board agreed if a sign is installed, it will be located where the current sign is now and it will be lit.

It was Mr. Doyle's understanding that the sign would be funded by a grant. Commissioner Foltz advised the grant was not awarded. Mr. Doyle said the budget shows \$25,000 in revenue, yet the Township did receive the funds. Mr. Wagner advised the budget says revenue \$25,000 and expense \$25,000 so in budget world, that's 0.

**Mr. Doyle** asked if there was any more talk about the communication tower. Commissioner Foltz said no.

**Mr. Doyle** asked if we are using one of our police officers for animal control or if the Township hired an Animal Control Officer (ACO). Chief Foltz advised we have a contracted service and Jon Daywalt is the Township's ACO. Mr. Daywalt's rate is \$4,000 per year and that rate has not changed in over two years.

**Mr. Doyle** asked for an update about the grass being cut in Pleasantview Park. Mr. Wagner advised it was approved and the contract was sent out to Ryan Lehman for signature. Mr. Lehman will be cutting the grass a minimum of twice a year.

**Mr. Doyle** asked about a proposal made to the Board concerning a donation of land near Cutillo's. Commissioner Foltz said the ground was of no use to the Township the Board is not interested.

**Mr. Doyle** asked if there is an ordinance that regulates commercial properties in the Village District for maintenance. He is upset with a property owner who converted a residential property into apartments. Mr. Wagner said the Township is aggressive with property maintenance and Joe Groff has issued numerous citations. Joe looked at the properties Mr. Doyle was questioning but Mr. Wagner hasn't had an opportunity to talk to him about it. Mr. Doyle asked if the property owner would have to pay a financial penalty. Mr. Wagner did not know because there are steps that are taken before the matter would go to the District Justice. Mr. Doyle asked to be kept updated on this situation.

**Mr. Doyle** read one of our cars was in an accident and there was a loss of approximately \$6,300. He asked was if this was due to depreciation. Chief Foltz said the vehicle was a total loss and the replacement will cost about \$6,000 more than what we are getting from the insurance company. Mr. Doyle said the vehicle will have to be painted and the equipment will have to be swapped. He said the Township shouldn't have to pay for that and asked who is going to make the transfer of equipment. Commissioner Foltz said that is up to the five commissioners and not up to you to decide. Mr. Doyle said it is a liability for the insurance company, it's what they have to do, and he asked if the Board is going to make them do it. Commissioner Foltz said the Board and the Police Committee are handling that and they are on top of it. Mr. Doyle wants to know how this turns out and Commissioner Foltz said there is always information in Chief Foltz's reports. Chief Foltz clarified that the insurance company paid for all transfer of equipment and the only thing lost was the depreciation. There is also a criminal issue and there may be some restitution charges coming back to the Township.

## **REPORTS:**

### **Police**

Chief Foltz reported there were 1,251 calls for service during the month of July 2014; 145 traffic citations were issued and the majority was issued on the Bleim Road corridor. There were 74 criminal violations. He highlighted the following from his report:

1. **Calls for Service/Departmental Activities:**
  - a. As previously reported, the MDCs in the police cars are no longer compatible with the CAD system upgrade at the County. We reached out to the County Department of Public Safety, who graciously donated 5 new Fujitsu computers for 5 of our police vehicles. There are still 2 additional cars that need to be outfitted with new computers at a cost of approximately \$6,600 total (\$3,300 each). This expense is not in the budget. Chief Foltz requested the Board's consideration on how we will outfit the remaining 2 police cars with new computers so the officers can get CAD dispatches immediately.

Commissioner Klotz made a motion to purchase 2 computers for 2 police cars with money from the Reserves Fund so all computers are up to date. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

2. **Misc:**

a. **Resolution No. 1027-14**—This resolution, supporting the use of radar by local police departments, was approved by the Board on July 24, 2014.

b. **Ordinance No. 314**—The Board authorized the advertisement of Ordinance No. 314, reducing the speed limit on Armand Hammer Boulevard, on July 24, 2014.

c. **Administrative Assistant**—As discussed at a prior meeting, the Police Department's administrative assistant is retiring September 30, 2014. The transfer of another Township employee into this position was previously discussed and Chief Foltz asked for formal authorization to proceed so there will be a smooth transition.

Commissioner Vlahos made a motion to promote from within to fill the position of Administrative Assistant in the Police Department and to make an offer to an existing Township employee. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

All statistics and information is included in Chief Foltz's written report.

**Emergency Management**

EMC Chris Wilcox delivered the following report for the month of July 2014:

1. There were no EOC activations.
2. Montgomery County Emergency Management exchanged dosimeters and other equipment for radiological response.

**Highway—Public Works Department:** Commissioner Foltz read the Public Works Report for July 2014. Report will be posted on the bulletin board.

**Fire Marshal**

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

<b>Station</b>	<b>Total Calls</b>	<b>Total Hrs. of Service</b>	<b>Total Personnel Hrs.</b>	<b>Total Personnel Training Hrs.</b>	<b>Total Fundraising Hrs.</b>
<b>Sanatoga (Station 58)</b>	27	18	193	292	Not provided
<b>Ringling Hill (Station 59)</b>	23	19	128	71	189

(Hours are approximate)

Mr. Babel advised on September 3, 2014 at 1:00 p.m., Sanatoga Fire Company will house 5 trucks. It will take approximately one hour and all are welcome to attend.

**C.O.G.**—Commissioner Foltz had nothing new to report. The next C.O.G. meeting will be held in September.

**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. Township staff met with three property owners, Spring Valley Farms, Haines & Kibblehouse and Occidental Chemical to discuss future plans for the development of their properties.
2. **Buchert Ridge Phase II**—Bursich received final plans and issued a review letter on July 28, 2014. This applicant has received E&S approval and NPDES permit from PaDEP and The Montgomery County Conservation District. We are also moving forward with the proposed sidewalk along the Rolling Hills property.
3. **Sanatoga Marketplace**—Applicant should be back for preliminary/final approval on August 21, 2014.

**Treasurer**—Ms. Marsteller presented the Tax Collector's Monthly Report to Taxing Districts for the month of July 2014 to the Commissioners for review.

**Solicitor**

Mr. Dunbar advised Mr. Brant submitted a reported to the Board dated August 1, 2014. He asked if there were any questions regarding the report.

Commissioner Foltz asked for an update on the off-street parking ordinance. Mr. Dunbar advised there were modifications made to the ordinance to include Pods (storage facilities) and Mr. Wagner recently provided additional information to incorporate into the ordinance.

Commissioner Foltz asked about the vacant gas station at Charlotte and Mervine Streets. He advised that he, along with Michele Cappelletti and Ed Wagner, researched GreenDrop, a company that takes vacant gas stations and converts them into very nice looking collection centers for clothing and household goods. Commissioner Foltz and Mr. Wagner spoke with the GreenDrop representative, who looked at the property. The representative thanked the Township, but advised at this time, GreenDrop has limited funds to work with and they are not interested. Commissioner Foltz said that tells him they did not like the property. He said we tried and thanked Mr. Wagner and Mrs. Cappelletti for working with him. Commissioner Foltz said he knows Mr. Brant is working on this and he wanted him to be aware.

**Parks and Recreation**

**Summer Concert Series**—Mr. Wagner reported the last two concerts will be held at the Sanatoga Bandshell this weekend. The Army Band will perform on August 9 at 1:00 p.m. Pottsgrove Community Band is the last concert and it will be held on Sunday, August 10 at 6:00 p.m.

**Pottstown Metropolitan Regional Planning**—July meeting was cancelled.

**Lower Pottsgrove Township Authority**

Mr. Wagner delivered the following report:

1. The Authority will meet on Monday, August 11. Main topic on the agenda is the third-party review, which the Township should receive the week of August 11, 2014.

2. There will be a meeting with Pottstown Borough on August 14. The readings for the Porter Road and Sanatoga Road pump stations will now be on Mr. Wagner's computer so he can monitor the sewer flows.

Commissioner Foltz requested Richard Yoder's retirement letter, which was on the agenda under New Business, be discussed at this time. Mr. Wagner read Mr. Yoder's letter, advising the Board of his retirement effective July 31, 2015. Commissioner Klotz made a motion to accept the letter of retirement submitted by Richard N. Yoder, with regret. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

#### **CORRESPONDENCE AND INFORMATION:**

**Buchert Ridge Community Progress Report**—See Engineers' Report.

**2015 Fiscal Year Township Budget Calendar**—Mr. Wagner presented the draft budget calendar for the year 2015. The draft budget will be presented to the full Board on October 6 and November 20. Commissioner Klotz said if there are going to be any major changes or red flags, the Board wants to be made aware ahead of time and not even wait until October 6.

#### **OLD BUSINESS:**

Commissioner Foltz said the Commissioners were approached by Family Dollar and the Board felt it did not fit in the Village District. The Board sent Family Dollar a letter advising that although they declined this proposal, there could be other locations or opportunities in the Township.

#### **SUBDIVISION AND LAND DEVELOPMENT:**

None.

#### **NEW BUSINESS:**

**Administrative Support Position**—Mr. Wagner requested authorization to advertise for the administrative support position, due to the promotion of the current employee to the Police Administrative Assistant position. Commissioner Klotz made a motion to advertise for the administrative support position. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

**Warrant**—Commissioner Klotz made a motion to approve Warrant No. 827 for July 2014. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

#### **COMMISSIONERS COMMENTS:**

**Commissioner Vlahos** asked if the business of the August 21, 2014 meeting could be moved to the first meeting in September if there are no pressing issues. Mr. Wagner advised Mr. Tornetta is scheduled to present Sanatoga Marketplace at that meeting and the speed limit ordinance was advertised for approval on August 21. Commissioner Vlahos said the meeting stands and the date was not changed.

**Commissioner Watson** had no comments.

**Commissioner Klotz** offered his condolences to Mike Shade and his family.

**Commissioner Klotz** acknowledged that EMC Chris Wilcox's reports are often short, and people don't realize how much he does for this Township. He offered his appreciation to Chris for his efforts and for being at the meeting.

**Commissioner Klotz** said he likes the new engineering report, which is prepared by Chad Camburn. He thanked Chad for the report.

**Commissioner Klotz** gave credit to the fire companies for hosting many community events.

**Commissioner Foltz** offered kudos to Joe Groff, the Township's Director of Code Enforcement. He received a letter from a resident complimenting Joe on his knowledge and service.

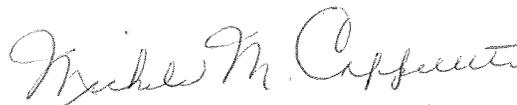
**Commissioner Foltz** reported he attended a tour of the Occidental Chemical Plant with Ed Wagner, Shawn Watson, Scott Exley and Chad Camburn. He advised there is a lot of available acreage and the property has been cleaned up; however, there are no plans for development at this time. Occidental is considering any options to develop the property. Mr. Exley said it is a unique property with highway and rail access. Commissioner Foltz said the Township is working on bringing business into the Township.

Bill Wolfgang, Pruss Hill Road, asked if the property is clean from an environmental standpoint. Commissioner Foltz could not answer for the entire property but said the well water is monitored in the back portion. Mr. Wolfgang asked if Occidental is still liable and Commissioner Foltz said yes and they have a full time employee monitoring the property. Mr. Wagner said EPA and DEP come in regularly.

Tony Doyle asked about the 2 lagoons that were located on the Occidental site. Commissioner Foltz said the waste was hauled to Canada and it is environmentally safe.

There being no further business, the public meeting was adjourned at 8:00 p.m. Next regularly scheduled meeting will be held on Thursday, August 21, 2014 at 7:00 p.m.

Respectfully submitted,



Michele M. Cappelletti  
Secretary