

**LOWER POTTS GROVE TOWNSHIP    BOARD OF COMMISSIONERS**  
**October 23, 2014**

The Board of Commissioners of Lower Pottsgrove Township held its regularly scheduled work session meeting on Thursday, October 23, 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. After the Pledge, a moment of silence was observed in memory of Stephen Mixon. The following attended:

**Board of Commissioners:** Bruce L. Foltz, President; Stephen M. Klotz, Vice President; Shawn Watson and James Vlahos.

Robert L. Brant, Solicitor; Edward C. Wagner, Manager and Michele Cappelletti, Township Secretary.

Commissioner Kaiser was absent.

Commissioner Foltz announced the meeting was being recorded.

**APPROVAL OF MINUTES:**

Commissioner Klotz made a motion to approve the meeting minutes of the September 25, 2014 and October 6, 2014 Board of Commissioners meetings. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

**COMMENTS FROM VISITORS:**

None.

**CORRESPONDENCE AND INFORMATION:**

None.

**OLD BUSINESS:**

None.

**SUBDIVISION AND LAND DEVELOPMENT:**

**Resolution No. 1037-14**—Commissioner Vlahos made a motion to approve Resolution No. 1037-14, granting preliminary/final approval of Application No. 2014-02, Limerick Generating Station's proposal to erect a robust storage structure for a total of approximately 5,400 square feet on 58 acres located at 3146 Sanatoga Road. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

Joe Zlomek of the Sanatoga Post asked if there have been any changes to the plan since it was approved the last time. Mr. Wagner advised the only change was a reduction of the disturbance area from .9 to .6 acre.

**NEW BUSINESS:**

**On-Road and Off-Road Diesel Fuel**—Commissioner Klotz made a motion to authorize Township staff to request proposals for on-road and off-road diesel fuel. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

**Public Hearing**—Commissioner Foltz announced a public hearing will be held on Monday, December 1, 2014 at 6:00 p.m. at Ringing Hill Fire Company, 815 White Pine Lane. Mr. Wagner explained the following zoning ordinances will be considered by the Board of Commissioners for adoption and enactment:

- Ordinance No. 315    Deleting the Planned Resident Development District (PRD)
- Ordinance No. 316    Establishing the Preservation Subdivision District (PSD)
- Ordinance No. 317    Amending the Zoning Map to apply PSD Overlay

Mr. Wagner advised the location of the public hearing was moved to Ringing Hill Fire Company because the Township will mail the legal notices to approximately 628 property owners. Mr. Zlomek noted the date of the hearing was changed from November 20, 2014 to December 1, 2014 and assumed the notices would be mailed to all residents in the District. Mr. Wagner confirmed this is correct.

Solicitor Brant advised in an abundance of caution, Mr. Wagner decided that everyone who would theoretically be affected would get actual notice. He advised the Township's planner will be at the public hearing to answer any questions the Board may have.

Solicitor Brant further explained it is a Township-initiated amendment but, in point of fact, the developer supported it too because there are some open space amenities that the Township would get as a result of it. The developer will also be at the hearing and any public comment that would be germane would be received during that time.

Commissioner Vlahos asked if a stenographer will be at the hearing. Mr. Wagner advised there will be a stenographer present.

Commissioner Foltz asked if Solicitor Brant will be representing the Board at the hearing. Solicitor Brant advised at the hearing, he will summarize the ordinance, explain the purpose of the ordinance and have the Township's planner explain how he went through and reviewed the ordinance. He assumed the developer who is most directly affected will offer some testimony that will support the ordinance. The hearing will then be opened up to the public for questions and/or comments.

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

**Resolution No. 989-A**—Mr. Wagner advised the Board approved a similar resolution in October 2013 establishing an Impact Fee Advisory Committee and authorizing the advertisement of the Township's notice of intent to adopt an impact fee ordinance pursuant to Act 209 of 1990.

Mr. Wagner, Commissioner Klotz and Commissioner Watson recently met with Limerick Township regarding the westbound on-ramp. Mr. Wagner reported as a result of this meeting, they want to re-initiate the 18 month clock, which will give the Township an

additional 18 months to complete the Act 209 study. No impact fees have been collected by the Township.

Commissioner Foltz asked when the Township could start collecting impact fees. Solicitor Brant said the Township would not collect any money until it has a land development or subdivision application. Commissioner Foltz said if we would have a land development before the end of the 18 month period, we could then collect impact fees.

Joe Zlomek asked how the meeting with Limerick Township affected Lower Pottsgrove. Mr. Wagner advised PennDot will not issue any additional permits on the Sanatoga Interchange until there are improvements to the westbound and eastbound ramps (mostly westbound).

Commissioner Klotz made a motion to approve Resolution No. 989-A establishing an impact fee advisory committee and authorizing the preparation and public advertisement of the Lower Pottsgrove Township notice of intention to adopt an impact fee ordinance pursuant to Act 209 of 1990. Commissioner Watson seconded the motion.

Commissioner Vlahos asked who is conducting the Act 209 study. Mr. Wagner said he has two proposals he will share with the Board. He said we wanted to make sure this resolution was in place and then we will allocate the funds.

Mr. Zlomek asked if the same committee that was appointed earlier was going to be involved in this study. Mr. Wagner advised there were some changes. The committee is limited to 7 regular members and there are no alternate members.

With a motion on the floor made by Commissioner Klotz, and seconded by Commissioner Watson, Resolution No. 989-A was unanimously approved by the Board of Commissioners. Vote was 4-0 in favor.

**Resolution No. 1036-14**—Commissioner Foltz advised the draft Non-Uniformed Employees Handbook was provided in the Commissioners' packets.

Commissioner Vlahos said he has not had a chance to review the entire Handbook. He made a motion to table adoption of the Non-Uniformed Employees Handbook and Commissioner Klotz seconded the motion. Motion was unanimously approved by a vote of 4-0 in favor.

**Resolution No. 1038-14--** Commissioner Klotz made a motion to approve Resolution No. 1038-14 authorizing the State Aid pension allocation to be distributed as follows:

Police Pension Plan	\$123,925.76
Non-Uniformed Pension Plan	<u>61,962.88</u>
Total Distributed	\$185,888.64

Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

**Warrant #829**—Commissioner Klotz made a motion to approve Warrant #829 for the month of September 2014. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

**Acceptance of Treasurer's Report**—Commissioner Klotz made a motion to accept the Treasurer's Report for the month of September 2014, as submitted by Jennifer Marsteller. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 4-0 in favor.

**COMMISSIONERS' COMMENTS:**

**Commissioner Vlahos** had no comments.

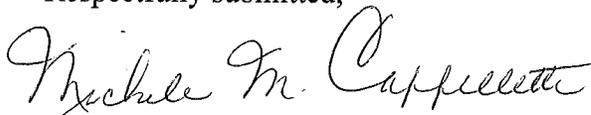
**Commissioner Watson** sent out his condolences to the family of Stephen Mixon and said Stephen did alot for this community.

**Commissioner Klotz** also offered his condolences to the Mixon family and the McCullough family. He said it is a tragedy when you lose young men in our community and Stephen Mixon did more for this community than we ever knew. He said it's been a rough week and a nightmare for both parents.

**Commissioner Foltz** also offered condolences to the family of Stephen Mixon.

There being no further business, the public meeting adjourned 7:11 p.m.

Respectfully submitted,



Michele M. Cappelletti  
Township Secretary