

**LOWER POTTS GROVE TOWNSHIP      BOARD OF COMMISSIONERS**  
**January 5, 2015**

The Board of Commissioners of Lower Pottsgrove Township held its regularly scheduled meeting on Monday, January 5, 2015 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:** Bruce L. Foltz, President; Stephen M. Klotz, Vice President; James D. Kaiser; Shawn Watson and James Vlahos.

Robert L. Brant, Solicitor; Edward C. Wagner, Manager; Michael A. Foltz, Chief of Police; Lew Babel, Fire Marshal; Jennifer V. Marsteller, Treasurer/Tax Collector; Scott Exley and Chad Camburn, Township Engineers and Michele Cappelletti, Secretary.

Commissioner Foltz announced the meeting was being recorded.

**COMMENTS FROM VISITORS:**

**Tom Troutman**, 2469 E. High St., read in the Sanatoga Post that the Township is considering expanding the Municipal Building. He said renovations were discussed several years ago and it was too much money to modify the existing building. He asked if there was a long term plan to accomplish this.

Commissioner Foltz advised Don Wirt is going to conduct a (feasibility) study on what is needed and what is practical. This is the beginning of the process; there is no plan yet.

Commissioner Klotz added that the Board wants to explore how much it will cost to expand the building and if the expansion will accommodate future growth. He said the last time the Board looked at this it would have cost \$2 million to renovate, and more than double (\$5 million) to construct a new building. The Board will consider the results of the feasibility study and the costs associated with renovating the building before it proceeds with a plan.

**PRESENTATION:**

**Sanatoga Interchange Possible Grant Funding**—Joseph Platt of Traffic Planning and Design delivered a presentation on Sanatoga Interchange Planning, with a focus on Westbound Route 422 on-ramp.

Mr. Platt gave an overview of the improvements that are being contemplated for this area. He advised there is about \$3 million in grant funding available and Lower Pottsgrove Township should apply for it. The grant process opens in March and an applicant usually has about two months to assemble everything, so the Township would start doing homework now.

Tom Troutman asked who is going to pay for this. Mr. Platt advised right now, we are pursuing PennDOT money. Mr. Wagner said it's a 30% match if the Township goes for a CFA. A meeting is scheduled at Limerick Township on January 8, 2015 at 11:00 a.m. to discuss hiring the Delta Group.

Mr. Exley asked if the source of that fund is Act 89. Mr. Platt advised it was and that funding passed in November.

Mr. Platt explained PennDOT is very aware of the capacity issue at the Sanatoga Interchange and does not want to issue any permits until a plan with a definite funding and implementation plan is in place. PennDOT wants to see a timeline.

Mr. Exley asked about the North side of High Street. Mr. Platt said the Tornetta property owner is already working with PennDOT and actually doing some of the improvements.

Solicitor Brant said he attended at least two staff meetings at Limerick with Commissioner Klotz, Commissioner Watson and Mr. Wagner. Limerick is asking the Commissioners of Lower Pottsgrove Township to consider a joint application for these funds. Solicitor Brant advised Delta Group is a lobbying firm that has expertise in lobbying to obtain this group of funds from the Commonwealth of Pennsylvania. The cost that would be incurred with regard to this lobbying group would theoretically be shared between Lower Pottsgrove and Limerick Townships on a monthly basis.

Commissioner Kaiser had questions about Delta Group's fees and how they would be split between Lower Pottsgrove and Limerick Townships. Solicitor Brant said this is a discussion we have to have and he assumed we would find out the real number at the January 8 meeting. It was estimated the fees could be approximately \$5,000.00 per month.

What was clear to Solicitor Brant at the meeting with Limerick, which was also attended by Fran Haney of PennDOT, is that PennDOT is encouraging this joint application for the funds. At risk is the inability for development, at or around that Interchange, to proceed because of the lack of a plan for improvements to both the westbound and eastbound ramps. Limerick's interest is obviously the westbound and Solicitor Brant feels that the westbound is the driving force.

Commissioner Kaiser asked how much further development Limerick can do on its side. Solicitor Brant said Limerick has done what they can do. Commissioner Kaiser said what is generating revenue for them today vs. what is their capacity to generate revenue and what our capacity is to generate revenue would be the equitable split and until we have those numbers, he did not know if \$5,000.00 is right wrong or indifferent. Solicitor Brant did not know how easy it would be to identify that.

Commissioner Klotz talked about long-term planning. He said Lower Pottsgrove needs the eastbound ramp. If we agree on a figure with Limerick for the westbound, Commissioner Klotz felt it was imperative for Limerick to help Lower Pottsgrove Township with a second grant further down the road when it's time to address the eastbound ramp, which is estimated at \$5 million. He agreed that a split has to be worked out.

Commissioner Watson said the improvements at the Sanatoga Interchange have to be done, traffic is getting backed up at all times of the day. He also agreed that the split has to be discussed and it may not be a 50/50 split.

Commissioner Watson also agreed the second ramp has to be locked in during the discussions we are now having with Limerick. He wants an agreement that Limerick will help us with that

other ramp. He said a lot has been accomplished but we need more information to proceed. Mr. Wagner advised according to PennDOT, the eastbound ramp project could be 10 years from now and requires right-of-way acquisition.

Solicitor Brant said on January 8, representatives from Limerick Township, Lower Pottsgrove Township and Delta Group will meet. The first issue is how much is Delta Group is going to cost. Second, what does Lower Pottsgrove Township get for what it is spending and third, what are the chances of spending this money and not getting anything.

Mr. Platt did find out there is a PennDOT project coming through for work on 422 so there is a chance they can help us while they are out there. Commissioner Klotz asked if PennDOT money would be able to go with a CFA. Mr. Platt advised it all comes out of the same pot of money; however, another funding source is the Governor's Action Team, which has economic development money. The Township would need to show there is significant economic development that will occur with the project and Delta would know about that.

Mr. Platt suggested Lower Pottsgrove should meet with the Montgomery County Planning Commission and PennDOT and get their support. Solicitor Brant asked if a plan had to be submitted with the application. Mr. Platt said a concept plan should be submitted and the costs should go with it.

Since PennDOT is not granting permits, Commissioner Foltz asked how this affects development on Lower Pottsgrove's side of Evergreen Road. He was advised PennDOT would not issue any permits; therefore, no development could occur.

Joe Zlomek of the Sanatoga Post said at one point, Limerick had a plan to relieve the westbound pressure by building an extension ramp from the Limerick off-ramp to the back side of the Premium Outlets. He asked Mr. Pratt if there has been any further talk on developing that plan. Mr. Pratt said Limerick tried to get federal funding and that did not happen. Limerick is now looking at what can be done to fix the intersection.

Tom Troutman asked if the Township paid Simone Collins to do a study on the Sanatoga Interchange and what happened to that study. Commissioner Foltz said nothing was done as a result of the study. Mr. Pratt said to move forward, PennDOT is looking for a solid plan and Lower Pottsgrove already has a high-level plan, the Sanatoga Interchange Master Plan, which PennDOT will review in more detail. Commissioner Klotz recalled PennDOT saying at the meeting this is a 20-year plan.

## **REPORTS:**

### **Police**

Chief Foltz was called from the meeting for an emergency and Police Commissioner Klotz delivered the Police Report in Chief Foltz's absence. Commissioner Klotz advised Chief Foltz prepared a year-end report, which was provided to the Board. All information and statistics for the year 2014 are included in the written report.

Commissioner Klotz summarized that there was a significant increase in overtime in 2014 due to the types of calls handled by the Department. Crime is higher than it has been in year; there

were 760 reported crimes and 237 of them were cleared. He advised these are the kind of things the Police Committee discusses when considering hiring new officers and why we need them. He also noted we are keeping the fleet of vehicles better maintained.

Commissioner Klotz said he was at the station on Christmas Eve. There was one patrol officer on duty and during one shift, he had 21 calls of his own to handle. Commissioner Klotz felt the Department was a little understaffed and his goal is to get police officers here who are able to get the Department where it should be.

Commissioner Klotz also highlighted statistics from the December 2014 report, which included the School Resource Officer report, a Regional Police Study, a manpower analysis and overtime statistics. Commissioner Klotz said some of the bigger crimes are occurring in Lower Pottsgrove Township and we want to be sure to have officers on the street. He recognizes that a cost is associated with that, but we have to keep in mind the safety of our residents, which means more than anything.

Commissioner Klotz reported that currently, three officers are out. He complemented Chief Foltz for doing a great job and for going out on patrol, in uniform, when the Department is short staffed. However, Commissioner Klotz said we cannot have the Chief on patrol every day and the Department needs to be properly staffed on the street.

**Unused Vacation and Personal Time**—Commissioner Klotz said at the December 18, 2014 Board of Commissioners meeting, the Board approved payment of up to \$3,700 in unused vacation and personal time in accordance with the police contract. He advised the actual figure is \$3,789.00, \$89.00 more than what was approved.

Commissioner Klotz then made a motion to pay up to \$3,789.00 in unused vacation and personal time in accordance with the police contract. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**Police Officer Hiring**—Commissioner Klotz, Commissioner Watson, Ed Wagner and Chief Foltz met with the three candidates on the Civil Service eligibility list. Commissioner Klotz would like to expedite hiring and made a motion to extend a conditional offer of employment to Scott Bond as a Lower Pottsgrove Township police officer. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Chief Foltz returned to the meeting at 7:36 p.m. Commissioner Klotz asked if the officer would be ready to be sworn in by the next Board meeting on January 22. Commissioner Foltz advised after accepting the conditional offer of employment, the officer is required to undergo psychological and physical examinations. Chief Foltz suggested having the officer sworn in on February 2 to ensure all requirements are met.

**Request for Reimbursement**—In accordance with the Police Contract, Commissioner Klotz made a motion to approve Officer James Kenney's Request for Reimbursement for Tuition (only) in the amount of \$1,829.30. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Chief Foltz apologized and advised he had to leave the meeting due to a potential CMERT deployment. He asked the Commissioners to contact him if there are any questions regarding his annual or monthly reports.

**Emergency Management**

No report. Chief Foltz reported there were no activations.

**Fire Marshal**

Fire Marshal Lew Babel highlighted the following statistics from the Fire Marshal's written report:

Station	Total Calls	Total Hrs. of Service	Total Personnel Hrs.	Total Personnel Training Hrs.	Total Fundraising Hrs.
Sanatoga (Station 58)	38	32	242	267	Not provided
Ringing Hill (Station 59)	38	28	195	Not provided	Not provided

(Hours are approximate)

Mr. Babel reported the second half of the 2014 has been very expensive due to structure fires in the Township. He will have a complete report next month.

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

Commissioner Foltz thanked John Fogel for repairing the backhoe.

**C.O.G.**—No report. Next meeting will be next Wednesday at Douglass Montgomery Township.

**Engineering**—Bursich Associates provided an Engineers' Report updating the Board on various projects and activities going on in the Township. Scott Exley asked the Board to contact him with any questions.

**Treasurer**—Ms. Marsteller did not have an official report because she is in the process of finalizing her year-end. She advised in 2013, she collected 97.85% of taxes and in 2014 she collected 97.72%. She is liening 135 properties, which is consistent with last year.

Ms. Marsteller advised she will be mailing County and Township tax bills on February 1 starting this year.

**Solicitor**

Solicitor Brant provided a written report to the Board of Commissioners. He advised he will be attending a staff meeting at the Township building on January 6, 2014 to review Buchert Ridge I and II. He will update the Board after the meeting.

**Parks and Recreation**

**Santa Letters**—Mr. Wagner reported 214 Santa letters were prepared and mailed by Katie Smith.

**Salvation Army**—Commissioner Watson will report on this during Commissioners Comments.

**Pottstown Metropolitan Regional Planning Committee**

**Comprehensive Plan**—Mr. Wagner will meet with John Cover on January 6, 2014 to discuss the Comprehensive Plan and the requirements for adoption.

**Lower Pottsgrove Township Authority**

**New Employee**—Mr. Wagner reported Tim Watson started work today. He had an orientation with Rich Yoder and met staff.

**Authority Meeting**—At its next meeting, the Authority Board will be working on the 2015 I&I contract with Sewer Services. They will also be discussing refinancing the 2011 \$10 million Wells Fargo loan hopefully to reduce our bond rating and save a half million dollars. The Authority is working with Gordon Walker's group.

**CORRESPONDENCE AND INFORMATION:**

**Zoning Hearing Application 2015-02**—Mr. Wagner reported GEG Investments is applying for a use variance to construct 272 storage units at 1473 N. Charlotte Street. The applicant is represented by Chuck Garner and they would like to make a presentation to the Board in the near future.

Commissioner Vlahos asked if the applicant is coming to the Board before going to Zoning. Solicitor Brant said yes, he has filed a zoning application and he wants to go before the Board because he needs variances.

**OLD BUSINESS:**

None.

**SUBDIVISION AND LAND DEVELOPMENT:**

None.

**NEW BUSINESS:**

**Resignation of Cody Robbins**—Commissioner Klotz made a motion to accept, with regret, the resignation of Cody Robbins from the Zoning Hearing Board. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**On-Road Diesel Contract**—Mr. Wagner reported two proposals were received for on-road diesel fuel. The lowest proposal was submitted by Penn Petroleum T/A as William R. Gift at \$2.25 per gallon. Superior Plus Energy Services' proposal was \$2.4664 per gallon.

Commissioner Kaiser made a motion to award the contract for on-road diesel fuel to Penn Petroleum T/A as William R. Gift at \$2.25 per gallon. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**Off-Road Diesel Contract**—Mr. Wagner reported two proposals were received for off-road diesel fuel. The lowest proposal was submitted by Superior Plus Energy Services at \$2.1676 per gallon. Penn Petroleum T/A as William R. Gift's proposal was \$2.26 per gallon.

Commissioner Klotz made a motion to award the contract for off-road diesel fuel to Superior Plus Energy Services at \$2.1676 per gallon. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

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

**Resolution No. 453-M**—Commissioner Vlahos made a motion to approve Resolution No. 453-M, Amending and Establishing Certain Fees, Deposits and Escrows Payable to the Township. Commissioner Kaiser seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**Resolution No. 1046-15**—Commissioner Klotz made a motion to approve Resolution No. 1046-15 appointing James W. Vlahos to the Lower Pottsgrove Township Municipal Authority. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**Resolution No. 1047-15**—Commissioner Klotz made a motion to approve Resolution No. 1047-15 appointing Cody Robbins to the Lower Pottsgrove Township Municipal Authority. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**Resolution No. 1048-15**—Commissioner Klotz made a motion to approve Resolution No. 1048-15 reappointing Vernest "Bud" Lightcap to the Lower Pottsgrove Township Building Code Appeals Board. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**Resolution No. 1049-15**—Commissioner Watson made a motion to approve Resolution No. 1049-15 reappointing Donald Wirt to the Lower Pottsgrove Township Building Code Appeals Board. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**Resolution No. 1050-15**—Commissioner Watson made a motion to approve Resolution No. 1050-15 reappointing Scott Fulmer to the Lower Pottsgrove Township Planning Commission. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**Resolution No. 1051-15**—Commissioner Watson made a motion to approve Resolution No. 1051-15 reappointing Keith Diener to the Lower Pottsgrove Township Zoning Hearing Board. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**Resolution No. 1052-15**—Commissioner Klotz made a motion to approve Resolution No. 1052-15 appointing Terrell Chestnut to the Lower Pottsgrove Township Vacancy Board. Commissioner Watson seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**Resolution No. 1053-15**—Commissioner Watson made a motion to approve Resolution No. 1053-15 reappointing Virginia Smith as Deputy Tax Collector for the year 2015. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

**Warrant**—Warrant No. 832 for December 2014 will be distributed via email for the Commissioners' review.

**COMMISSIONERS COMMENTS:**

**Commissioner Vlahos** had no comments.

**Commissioner Kaiser** had no comments.

**Commissioner Watson** reported that the Township raised \$3,400 from local businesses and adopted two families through the Salvation Army's Adopt-A-Family program. He thanked the businesses for their generosity and also thanked Michele Cappelletti, Katie Smith, Ed Wagner, the Road Crew and all Township staff for their support.

**Commissioner Watson** also reported that we collected 3,500 pounds of non-perishable food during our Annual Food Drive, which is 800 pounds more than what was collected last year. The food was donated that to the Salvation Army food pantry. Commissioner Watson thanked the residents and said it was humbling to see what we can do as a community.

**Commissioner Klotz** thanked Shawn Watson for taking the initiative to organize and run the food drive, which is in its second year. He recognized Shawn for doing a great job and giving back to the local community. Commissioner Klotz said Shawn made him aware of how much staff contributed to this effort and how everyone helped to get things done.

**Commissioner Klotz** also thanked the fire companies for their involvement and for picking up the food donations during their Santa runs. He said without the cooperation of all involved, this would not be happening. He also noted that the donations go to local families, and that's very important.

**Commissioner Klotz** said our police force is doing a great job, even with injuries and staffing issues, and everyone is stepping up to get the job done. He personally thanked Chief Foltz for doing what is out of the ordinary because he is committed to the job.

To residents, staff and everyone in Lower Pottsgrove Township, Commissioner Klotz wished a Happy New Year to all.

**Commissioner Foltz** thanked Shawn for doing a great job with the food drive. He was very impressed with how people throughout the community gave to this worthy cause. Commissioner Foltz also thanked staff for pitching in because it wasn't an easy took, it took a lot of hard work.

**Commissioner Foltz** thanked the entire staff for sticking with the Board last year when we were going through a lot of changes at the Township.

**Mr. Wagner** said the Salvation Army was very appreciative and expressed their heartfelt thanks for the food, which arrived at their food pantry three days before Christmas.

**Mr. Exley** thanked Officer Wil James for the job he did as School Resource Officer while his kids attended Pottsgrove High School. He said the students respect Ofc. James and he wanted to publicly thank him for his work with the kids. Mr. Exley is sure Ofc. Slothower will do a good job as SRO as well.

As a company, Mr. Exley thanked the Board for allowing Bursich Associates to work with the Township and he is looking forward to doing even better this year.

There being no further business, the public meeting was adjourned at 7:56 p.m. Next regularly scheduled meeting will be held on Thursday, January 22, 2015.

Respectfully submitted,



Michele M. Cappelletti  
Secretary