

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS
November 5, 2015

The Board of Commissioners of Lower Pottsgrove Township held its regularly scheduled meeting on Thursday, November 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 W. Vlahos, Earl E. Swavely, Jr. and Raymond W. Lopez.

Robert L. Brant, Solicitor; Edward C. Wagner, Manager; 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.

APPROVAL OF MINUTES:

Commissioner Klotz made a motion to approve the meeting minutes of the October 22, 2015 Board of Commissioners meeting. Commissioner Lopez seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

COMMENTS BY VISITORS:

None.

REPORTS:

Police

Chief Foltz presented the Police Report for the month of October 2015. He reported there were 1,094 calls for service. There were 53 traffic citations issued and 3 DUI arrests. There were 87 criminal violations recorded that involved 30 adults arrests and 18 juveniles were handled.

1. Calls for Service/Departmental Activities

- a. The Department's first Community Day was held in conjunction with the Township's Fall Fest on October 24, 2015. Chief Foltz thanked Sgt. Wil James, Ofc. Diesinger and Ofc. Burnick for planning and coordinating this event. He also thanked Township staff (Ed Wagner, Katie Smith and the Road Crew) for their help in making this event a success. Chief Foltz would like to work on expanding this event in the future.
- b. Chief Foltz is preparing to establish a Naloxone (heroin reversal drug) program in the Department. Officers should be trained within the next month. All costs are being shouldered by the Montgomery County District Attorney's Office and the Department of Public Safety.

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

Emergency Management

Commissioner Lopez delivered highlights from his Emergency Management Report for the month of October 2015.

1. There were no EOC activations during the month of October; however, a tornado watch was put in place due to severe weather conditions. Fortunately, Lower Pottsgrove Township was not impacted by the storms.
2. Prepared for the Limerick Generating Station Drill that will take place on November 17, 2015. The Township will be observed by PEMA and possibly FEMA.

Fire Marshal

Mr. Babel highlighted the following statistics from his report:

Station	Total Calls	Total Hrs. of Service	Total Personnel Hrs.	Total Personnel Training Hrs.	Total Fundraising Hrs.
Sanatoga (Station 58)	25	21.5	55	136	Not provided
Ringling Hill (Station 59)	24	29.5	115	194	287

(Hours are approximate)

Mr. Babel reported as part of Fire Prevention week, Ringling Hill visited Pottsgrove Schools and Sanatoga visited the daycare centers in the Township. All schools were covered.

Highway—Public Works Department: Commissioner Foltz read the Public Works Report for the month of October 2015. Report will be posted on the bulletin board.

C.O.G.—Next meeting of C.O.G. will be held on Tuesday, November 10, 2015. Commissioner Foltz will attend.

Engineering—Bursich Associates provided a written Engineers' Report updating the Board on various projects and activities going on in the Township.

Treasurer—Ms. Marsteller presented the Tax Collector's Monthly Report to Taxing Districts for the month of October 2015 to the Commissioners for review.

Solicitor--Solicitor Brant's written report to the Board of Commissioners provided a synopsis of all projects his office worked on in the past month. He reported on the following:

1. **Public Hearing**—The Board of Commissioners will hold public hearings to consider three ordinances for adoption and enactment on December 17, 2015 at 6:30 p.m. at the Lower Pottsgrove Township Building. The bulk of the Solicitor's office time was spent on preparing those ordinances.

2. **Resolution No. 989-B**—It has been the opinion of the consulting engineer that the Act 209 study area needed to be clarified. Initially, the Transportation Impact Fee Advisory Committee used the Township as a whole as the study area. Since that time, the study area has been modified to a geographic area of 6.939 square miles within the Township. Resolution No. 989-B amends Resolution No. 989-A and reflects the modification to the study area.

Commissioner Klotz made a motion to approve Resolution No. 989-B amending the description of the Transportation Study Area (TSA) to a geographic area of 6.939 square miles within Lower Pottsgrove Township, as depicted on the Land Use Assumptions Study Area Map dated June 18, 2015. Commissioner Vlahos seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

3. **Industrial Highway 35 mph Speed Limit**—Ordinance No. 321 will be handled later on tonight's agenda.

Commissioner Foltz asked for an update on the Citgo Station. Solicitor Brant reported he sent reminder letters to both parties earlier this week. The Township Manager put a phone call in to the representative of North End Shopping Center. In Solicitor Brant's opinion, there could be a delay in this portion of the process because the matter has to go to the Shopping Center's general counsel.

Parks and Recreation

13th Annual Fall Festival—Mr. Wagner reported the Fall Festival, which was held in conjunction with the Police Department's Community Day, went very well.

Annual Food Drive—Mr. Wagner reported the Food Drive will be held in conjunction with the Fire Companies' Santa Runs on December 19 and 20.

Second Annual Adopt-A-Family Program—The Township will be collecting unwrapped toys, clothing and household items at the Township Building and during the Santa Runs.

Commissioner Swavely asked how many families the Township generally adopts. Mr. Wagner replied two families are adopted through the Salvation Army.

Pottstown Metropolitan Regional Planning Commission

Mr. Wagner reported the Pottstown Metropolitan Regional Planning Commission meeting was held on October 28, 2015. There was lengthy discussion on the proposed Town Center in New Hanover Township. The Town Center has also been discussed by our Transportation Impact Fee Advisory Committee because of the impact of pass-through traffic on Lower Pottsgrove.

Lower Pottsgrove Township Authority

Mr. Wagner reported the next meeting of the Lower Pottsgrove Township Authority will be held on Monday, November 9, 2015. The Authority will be reviewing the proposed 2016 operation and capital budget.

CORRESPONDENCE AND INFORMATION:

None.

OLD BUSINESS:

None.

SUBDIVISION AND LAND DEVELOPMENT:

None.

NEW BUSINESS:

2015-2016 Snow Plow Proposals—Mr. Wagner reported the Township received four proposals from the following contractors: Above Grade Landscaping, Howard Lynch Plastering and Stucco, Reading Site Contractors and Sacks & Sons. All proposals were reviewed by Blake Dunbar of the Solicitor's office and were to his satisfaction. Mr. Wagner reported four proposals were accepted last year and proved to be very effective. The entire Township was plowed in four hours.

Commissioner Klotz made a motion to approve the snow plowing proposals submitted by Above Grade Landscaping, Howard Lynch Plastering and Stucco, Reading Site Contractors and Sacks & Sons, at the rates indicated on the attached spreadsheet, for the 2015-2016 snow plowing season. Commissioner Swavely seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Amendment to Township Non-Uniform Employee Handbook—Mr. Wagner reviewed Section 404 addressing Compensatory Time with the Township's labor attorney. Current language in the Handbook reads that compensatory time should be used within the time limits set forth by the policy. After researching, it was discovered there was no set time limit in the policy.

Mr. Wagner advised the Township's practice has been to have non-uniformed employees use their compensatory time by December 31; any unused comp time was "cashed out" and the employee was paid for those hours. To be consistent with the auditors, comp time should be cashed out by the end of every calendar year.

Commissioner Klotz made a motion to approve the amendment to Section 404, Compensatory Time, in the Non-Uniform Employee Handbook. Commissioner Lopez seconded the motion.

Commissioner Vlahos stated he was caught by surprise. He saw the attorney-client privilege memo included in the Commissioners' packet but he did not know about the proposed change. He wanted a chance to understand the policy change and was not prepared to comment at this point. Commissioner Foltz asked if Commissioner Vlahos wanted to hold off on the matter. Commissioner Vlahos thought because this was a personnel issue, the Board would have held an executive session before tonight's meeting to have conversation regarding the policy.

Commissioner Foltz asked the other Board members for their input. Commissioner Klotz said there was a motion on the floor and it's been seconded. Commissioners Foltz, Klotz, Swavely and Lopez voted "yes" to approve the amendment to Section 404 Compensatory Time in the Non-Uniform Employee Handbook. Commissioner Vlahos voted "no." Motion carried by a vote of 4-1.

PRESENTATION ON ROADWAY SUFFICIENCY ANALYSIS REPORT:

Chad Camburn and John Carullo, traffic engineer, delivered a presentation on the Roadway Sufficiency Analysis Report (RSA), which was provided to the Board of Commissioners. Mr. Camburn highlighted the following from the Report:

Fifteen (15) intersections were studied as part of this Analysis. The engineers looked at three conditions:

1. **Existing Traffic Conditions**—This evaluation was based on the traffic counts that were done in May 2015. They observed 15 intersections, counted the number of car/vehicles coming through those intersections, the turning movements of those vehicles and put them into the projections of level of service.
2. **Future Pass-Through Traffic Conditions**—Pass through is traffic not generated in or ended in the Township, it simply passes through the Township. To determine future pass through traffic, existing counts were added to a future growth factor through the year 2025.
3. **Future with Development Conditions**—“With development” projects are those that were discussed as part of the Land Use Assumptions Report (LUAR) that was previously approved.

Mr. Camburn explained that for each of those conditions, they assign a traffic count to all the movements at all of those intersections. The Advisory Committee established a Level of Service (LOS) D as the acceptable level of service for any movement at any of those intersections; therefore, any movement that is deficient (less than LOS D) would require an improvement at that intersection. Level of service is simply a range of waiting time for any particular movement at that intersection.

In the Existing Traffic Conditions and Future Pass-Through Traffic Conditions, any improvement that is required to bring any deficiency up to LOS D is the responsibility of the Township. In the Existing Conditions, the following four (4) intersections had deficient levels of service:

- East High Street and Porter Road
- East High Street and Pleasant View Road
- East High Street and Rupert Road
- Armand Hammer Boulevard and Medical Drive

Mr. Camburn said at East High Street and Pleasant View Road, East High Street and Rupert Road and Armand Hammer Boulevard and Medical Drive, fairly simple improvements could be made at minimal costs. Solicitor Brant asked what the levels of service are now. Mr. Carullo said there is at least one movement at those intersections that is below D, which kicks it into the need for improvements under existing conditions. D is acceptable, but at those intersections there are movements that are either E or F. Mr. Exley said there are As and Bs as well.

The Solicitor explained that levels of service are graded like a report card. He said the Road Sufficiency Analysis projects how an intersection will change with additional traffic added to it. Mr. Camburn advised LOS D is 35.1 to 55.0 second wait and the Advisory Committee decided that is an acceptable wait at a signalized intersection. Unsignalized is slightly different. At the

three intersections discussed, you can simply change the timing of the lights and that will improve it to a Level of Service D.

Mr. Camburn explained at Porter Road and East High Street, there is no traffic light so there is no simple timing change to alleviate the problem and, unfortunately, the traffic volumes do not warrant a traffic signal at the intersection. One possible answer would be to eliminate the left turning movement from Porter Road onto East High Street, and that is certainly the movement that backs up traffic on that road. Mr. Camburn said if you can eliminate the left turning movement that helps the right turning movement as well. There are a number of ways to possibly make that happen and that will be developed as part of the Capital Improvements Plan. Mr. Camburn that since these are existing conditions, those improvements would be the responsibility of the Township at the Township's cost.

Under Future Pass-Through Conditions, assuming the four changes are made as discussed by Mr. Camburn, there are no required improvements; therefore, these improvements would also improve the Future Pass-Through Conditions.

There are a number of deficient intersections under Future Development Conditions, assuming the development that was discussed under the LUAR is built out in the next 10 years. The cost of the improvements to achieve a LOS D would go into the Traffic Impact Fee and would be the basis of that fee.

Mr. Camburn advised there are five (5) intersections that are impacted by future development:

- East High Street and Heritage Drive and East High Street and Pleasant View
Both intersections can be improved by traffic signal timing changes.
- East High Street and Rupert Road
In addition to a timing change, this intersection would also require the extension of the existing Eastbound East High Street right turning lane.

Commissioner Klotz asked about converting one of the two through lanes into a right turning lane. Mr. Exley said there is enough traffic there that you need both through lanes because they back up, in the Future Condition, and they cut off the short right turn lane. These improvements would be at the developer's expense. Mr. Camburn added it is the right turn movement that is failing, not the straight movement.

- Evergreen Road and Route 422 Westbound Ramp
One and only improvement would be construction of a new Route 422 Westbound loop ramp to make that intersection a LOS D or better. There is a current joint grant application with Limerick for that ramp.
- Armand Hammer Boulevard and Medical Drive
In Future Condition after development, after exiting off the Sanatoga Interchange, attempting to make a right turn onto Armand Hammer Boulevard and a right turn onto Medical Drive, the movement would be below a LOS D.

The only improvement would be to install or construct a new northbound Armand Hammer Boulevard right turn lane.

Mr. Camburn reiterated that all five of these improvements would be the basis for the traffic impact fee. The traffic impact fee would be determined by evaluating the improvements as part of the Capital Improvements Plan, estimating the costs for those improvements and dividing that cost by the number of estimated trips caused by these developments. The traffic impact fee would be established for every peak hour trip for new developments in the future.

Mr. Camburn said the Township could use 100% of traffic impact fees for any improvements to Township roads. The traffic impact fees can be used for 50% of any of improvements on state roads in the future with development conditions. Unfortunately, all the improvements that were discussed are on state roads.

Commissioner Foltz asked if the proposed light timing changes would have to be approved by the state and if this was a difficult process. Mr. Carullo said it is not something that gets done in a few days. It requires some engineering but it is not a huge effort. For a timing change, the Township would need to change the traffic signal plan submitted to PennDOT and they will give you approval.

Commissioner Swavely asked if the State would consider any timing changes to the Home Depot light that could have an impact on the light at Medical Drive. Mr. Camburn said it is not part of this study but it was something that could be looked into in the future. Mr. Carullo said the Township could talk to PennDOT about coordinating all the signals to help the through traffic flows. He said PennDOT is more and more funding these coordination/interconnect projects on corridors.

Regarding the Armand Hammer Boulevard corridor, Chief Foltz said the two railroad bridges have been deemed deficient at some point. He said if the bridges are made wider, it would help alleviate some of the congestion. Mr. Camburn said unfortunately, they can't look at the bridges as part of this study. They have to look at intersections themselves and what improvements can be made at the intersections.

Commissioner Foltz felt the recommendation to eliminate a left turn from Porter Road onto East High Street was a good idea and asked what had to be done to make this happen. Mr. Camburn said they would look at various scenarios as part of the Capital Improvements Plan. He felt signage alone would not be effective. Some suggestions were a raised median that would direct traffic to the right, possibly used in combination with reflective, flexible bollards, which would act as a deterrent, but much would depend on police catching motorists who violate the law.

Commissioner Klotz was not in favor of this scenario and asked if Porter Road backs up that much. Mr. Camburn said at peak hours, this intersection is a LOS F. Mr. Wagner said the Advisory Committee struggled with this at its last meeting and feel it is an enforcement nightmare. Chief Foltz said this scenario would eliminate an escape route to move traffic in the Township. Commissioner Klotz was concerned about emergency situations and Mr. Camburn advised in emergency situations the bollards could be removed.

Mr. Carullo explained this intersection is a level of service F under existing conditions and we need to solve that. He said an option would be to install a traffic signal but the intersection does not meet the PennDOT warrants; therefore, this is not a feasible solution. The only other solution is to eliminate left turns coming out of Porter Road.

Chief Foltz said traffic at East High Street and Pleasant View Road backs up at peak hours and he assumed the impact on that intersection has been taken into consideration. Mr. Camburn said the Future Through movement and the Future with Development is based on the initial existing conditions being resolved, so it is assuming that left turn has been eliminated. Mr. Exley said going forward, we can reevaluate where we actually are based on development and the Township could then petition PennDOT, through Ed Wagner, to allow a signal at that intersection.

Joe Zlomek of the Sanatoga Post asked if the Senior Center proposed to be built on Medical Drive was taken into consideration. Mr. Camburn said this has been discussed by the Advisory Committee and, in its opinion, it will not be built in the next 10 years. Since this is a 10 year study, it was not taken into consideration.

Mr. Camburn advised the Advisory Committee made a recommendation for approval of the Roadway Sufficiency Analysis Report (RUAR) at its November 4, 2015. Commissioner Vlahos asked if approving the RUAR tonight keeps the Act 209 Process moving forward. Mr. Wagner said it does but he wanted the Board have ample time to review the report. Commissioner Vlahos was comfortable with the Advisory Committee's recommendation and with approving the RUAR tonight.

Commissioner Vlahos made a motion to approve Resolution No. 1083-15 approving the Roadway Sufficiency Analysis Report Submitted to the Lower Pottsgrove Township Transportation Impact Fee Advisory Committee, with the following amended language to Paragraph 1:

WHEREAS, Lower Pottsgrove Township re-established an Impact Fee Advisory Committee for the purposes of developing a Transportation Impact Fee Ordinance under the terms of Section 504 A (b)(1) of Act 209 of 1990 by Resolution Nos. 989-A and 989-B; and

Commissioner Klotz seconded the motion. He asked if Bursich Associates was satisfied with the way the resolution was written and Mr. Camburn said yes, it is based on the recommended resolution in the Handbook. With a motion on the floor made by Commissioner Vlahos, and seconded by Commissioner Klotz, motion was unanimously approved. Vote was 5-0 in favor.

RESOLUTIONS AND ORDINANCES:

Ordinance No. 321—Solicitor Brant indicated that Ordinance No. 321 has been advertised as required by the Code. It was published in the Pottstown Mercury and the Township has proof of publication for that legal notice and summary. The ordinance is based on the desire of the Township to establish a reasonable speed limit on Industrial Highway, as suggested by Chief Foltz. Adoption of Ordinance 321 will result in a posted 35 mph speed limit for the entirety of Industrial Highway in Lower Pottsgrove Township and, following adoption, the Township will post the requisite signs to establish that.

Solicitor Brant then asked for questions or comments regarding the ordinance. There being none from the Board or the public, Commissioner Swavely made a motion to approve Ordinance No. 321, An Ordinance Amending Ordinance No. 192, The Lower Pottsgrove Township Code Of Ordinances, Chapter 228 (Chapter 15 Of The 1995 Code), Vehicles And Traffic, By Establishing A Speed Limit Of 35 Miles Per Hour On Industrial Highway Within Lower Pottsgrove Township And Posting Of Speed Signs. Commissioner Lopez seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Resolution No. 1082-15—Commissioner Klotz made a motion to approve Resolution No. 1082-15 approving The Amended Land Use Assumptions Report Submitted To The Lower Pottsgrove Township Transportation Impact Fee Advisory Committee. Commissioner Swavely seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Warrant #842 for the month of October 2015 will be provided to the Board for its review.

COMMISSIONERS COMMENTS:

Commissioner Vlahos had no comments.

Commissioner Lopez thanked all who helped to make the Fall Festival a success: the fire companies, Sheriff's Department, the helicopter service, Township employees and all who were involved with this event.

Commissioner Lopez noted that Senator Rafferty held a Veterans' Breakfast at Sunnybrook, which was open for all veterans in his senatorial district. The event was well attended and Commissioner Lopez appreciated Senator Rafferty bringing economic development to Lower Pottsgrove Township by holding the event at one of our facilities.

Commissioner Swavely had no comments.

Commissioner Klotz said Community Day was a great opportunity for the community and the Commissioners. It gave the Commissioners a chance to converse with people they don't see on a day to day basis, such as residents, volunteers, fire company personnel, etc. He thanked all who were involved for doing a great job and making this event a success.

Commissioner Klotz congratulated Commissioners Foltz, Vlahos and Swavely on the election. He said the election process in Lower Pottsgrove is always professional and the way the process is supposed to work.

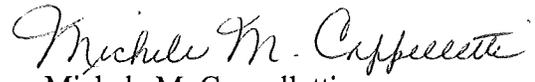
Commissioner Foltz commented that Community Day was a very nice event. He thanked Chris and Mary Jo Wilcox for doing a great job entertaining the kids with Sparky, Ringing Hill's remote controlled dog.

Commissioner Foltz said he spent Election Day at the Berean Bible Church with Charles Nippert, who was running for Commissioner on another ticket. Commissioner Foltz said Mr. Nippert was very positive and did not have a bad word to say about the Commissioners or the Township. He felt if every election was this way, it would be wonderful.

Mr. Wagner and Solicitor Brant had no comments.

The next regularly scheduled Board of Commissioners meeting will be held on Thursday, November 19, 2015 at 7:00 p.m. There being no further business, the public meeting was adjourned at 7:50 p.m.

Respectfully submitted,

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

Michele M. Cappelletti
Secretary