

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS

September 6, 2016

The Board of Commissioners of Lower Pottsgrove Township held its regularly scheduled meeting on Monday, September 6, 2016 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; Earl E. Swavely, Jr., Raymond W. Lopez and Robert W. Mohollen.

Charles Garner, Solicitor, Edward C. Wagner, Manager; Det. Sgt. Joseph Campbell; Lew Babel, Fire Marshal; Michele Christman, Finance Director; Scott Exley, Township Engineer and Sharon Colletti, Secretary.

EXECUTIVE SESSION:

Mr. Garner announced that prior to tonight's meeting the board did meet in executive session at 6:30 p.m. to discuss a personnel matter and a matter of litigation; no action was taken.

APPROVAL OF THE MINUTES:

Commissioner Klotz made a motion to approve the minutes of the August 18, 2016 Board of Commissioners Meeting. Commissioner Swavely seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

COMMENTS FROM VISITORS:

Mr. David Fisher, a North Coventry Township resident who owns real estate in Lower Pottsgrove (5 South Sunnybrook Road) requested Right-to-Know, in letter format to Mr. Wagner, in regards to information pertaining to the development of the property at 1954 East High Street, owned and developed by a former Commissioner, aka Valhos' Properties. Mr. Fisher's letter summarized what he found in the Township's files. He is looking for written responses as to why some of these issues were allowed to occur. The highlights of his concerns are as follows:

- **Sprinkler System** – per township code a property having 5000 sq. ft. or more needs to be sprinklered; this property is almost 7,000 sq. ft. and has no sprinkler - why not?
- **Storm Water Run-Off** - There was pre-existing stormwater problem in this general area prior to the development of this property. Mr. Fisher owns property west of said property and continues to experience significant stormwater runoff. Although this problem pre-existed to development of said property, the land development plan not being implemented as per final plan added to the problem.

The approved land development plan indicates that the parking lot in lieu of islands, and to allow for no additional stormwater runoff than prior to development, would consist of grass-pavers. It is obvious that except for the last 6 parking spaces the parking lot is macadam.

Mr. Fisher also states that the plan allows for an exception to the grass paver to allow macadam for 14 spaces at the discretion of the township contingent upon off-sight drainage rights being secured. Mr. Fisher finds no letter of authorization in the file from the township allowing this exception nor any information indicating offsite rights were secured to handle the additional run-off.

- **HOP** – There have been several reported accidents on High Street. Why was no HOP (Highway Occupany Permit) required for this property? Perhaps had an HOP been issued, the entrance/exit may have been designed differently.
- **U&O Permit** – Mr. Fisher noted that there is no permanent U&O permit for the top floor of this property and no building permit or use and occupancy permit for the basement which houses Allstate Insurance office and Lower Pottsgrove Tax Collector’s office. A temporary U & O was issued but the required items were never provided and a final U&O was never obtained for the top floor...Why?

Mr. Garner thanked Mr. Fisher for presenting this information to the Board. He expressed that the Board understands the concerns and given the project began construction in 2007 to please allow the Board time to review the information and provide our response.

Commissioner Foltz thanked Mr. Fisher for his information and asked for some time to look everything over and prepare a response. Mr. Fisher said he appreciates the Board’s time and attentiveness and that going forward hopes things will be handled differently.

PRESENTATION:

Ronald Minninger of Dreslin and Company reviewed the 2015 audits for the Township and Tax Collector and reported no instances of non-compliance. He reviewed the 2015 annual revenues and expenditures and reported an excess revenue for 2015.

Mr. Minninger thanked Mr. Wagner and Michele Christman for their hospitality and support.

President Foltz thanked Mr. Minninger for his time and audit.

There were no additional questions for Mr. Minninger from the Board.

REPORTS OF OFFICIALS AND COMMISSIONS

Police Report: Det. Sgt. Joe Campbell, filling in for Chief Foltz, presented the Police Report for August. Chief Foltz apologized for not being at the meeting.

Statistics:

- 1,130 calls for service
- 72 Criminal Violations recorded
 - 24 adults arrested
 - 8 juveniles handled
- 97 traffic citations were issued
 - 37 were issued in or near the 422 construction zone
 - Other significant enforcement activity was along N. Keim Street, Rupert Rd., Bleim Rd. and Hause Avenue

Departmental Activity:

- The Turkey Hill Market was robbed during the early morning hours of Sunday, August 28, 2016. Subject was armed with a semi-automatic handgun. Suspect threatened the clerk with the gun and made off with cash from the register. Suspect fled in a vehicle that was parked nearby and operated by another unknown suspect. Detectives are investigating.
- Detectives are investigating a residential burglary that occurred during daylight hours in the 3300 block of Walnut Ridge on August 26, 2016 between the hours of 7:30 am and 11:30 am. A male actor is believed to have forced entry to the rear of the home while the homeowner was away during the above hours. Suspect removed numerous items from the home including a firearm, jewelry and various electronic devices.
- Detectives are investigating a daytime burglary which occurred in the 1500 block of Rupert Road in the Township between the hours of about 1:30 pm and 9:00 pm unknown actor(s) forcibly entered the rear of the home through a sliding glass door while the home was unoccupied. Actor(s) removed approx. \$15,000 worth of property including a Smith & Wesson 40 cal. Handgun, electronics, furnishing and cash.
- Chief Foltz addressed the concerns expressed by residents at the last township meeting in regards to loud music from Ringing Rocks Park. Chief spoke to the primary party involved in causing this disturbance and warned him about the activity. One incident was reported that was discovered by patrols on August 20th, but no incidents have been reported since that time. Chief is continuing to work with Township Manager and Solicitor in evaluating noise ordinances.

Notes:

- Late Sunday night, September 4th at approximately midnight, police responded to a report of a missing five year old autistic child in the area of Buchert Road and Hilltop Road. The child had been missing for almost 45 minutes prior to police being called. Subsequently, a large emergency response, including Philadelphia Police Aviation Unit and the Volunteer Medical Corp. Search & Rescue Unit of Lansdale, PA were called to coordinate a search for the child. A command center was established at Lower Pottsgrove Elementary School. The child was found safe hiding inside their home approximately one hour after police were called to the scene.

Fleet:

Commissioner Foltz inquired about a 2008 unmarked Ford Taurus with transmission problems. Det. Sgt. Campbell reported that the vehicle in question was his car and the issue wasn't pressing. They added some transmission fluid and seems to be running fine. He also stated that he is due for a new vehicle next year.

Commissioner Klotz recommended that in lieu of spending \$3,500.00 this year to replace a transmission on a car that is due to be taken out of service next year, Commissioners may consider to expedite the purchase of a replacement vehicle sooner

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

Commissioner Foltz thanked Det. Sgt. Campbell for filling in for Chief Foltz.

Emergency Management: Commissioner Lopez presented the Emergency Management Report for July and August. The main concern during the summer months was keeping the emergency responders and the township residents' safe with the extreme weather conditions. There were plans in place, but there were no reports of heat related incidents and there was no need to enact any special programs.

Several training sessions were attended in July and August. On August 23, 2016, Lew Babel, Fire Marshal; Commissioner Lopez, Joe Groff, Code Officer; Chief Foltz and Eric Linsenbigler, Assistant Emergency Management Coordinator, attended a pipeline emergency training in Kulpsville. Commissioner Lopez reported this was a very informative training and there was no cost to the Township.

There were no EOC activations in July or August.

Vice President Klotz reported that there were 40 days this summer over 90 degrees and asked if there were any grants available to purchase portable air conditioning units that could be provided on a temporary basis to elderly residents of the township if they did not have the means to cool their homes. Commissioner Lopez responded that he would look into it and it was a great suggestion.

Fire Marshal: Fire Marshal Lew Babel highlighted the following statistics from his monthly written reports for July:

Station	Total Calls	Total Hrs. of Service	Total Personnel Hrs.	Total Personnel Training Hrs.	Total Fundraising Hrs.
Sanatoga (Station 58)	25	36 Hours 50 Minutes	73 Hours 25 Minutes	62 Hours 55 Minutes	Not provided
Ringling Hill (Station 59)	23	20 Hours 27 Minutes	68	23	284

August:

Station	Total Calls	Total Hrs. of Service	Total Personnel Hrs.	Total Personnel Training Hrs.	Total Fundraising Hrs.
Sanatoga (Station 58)	35	36 Hours 45 Minutes	82 Hours 34 Minutes	229 Hours 30 Minutes	Not provided
Ringling Hill (Station 59)	31	18 Hours 49 Minutes	151	78	248

(All hours are approximate)

Fire Marshal Babel recognized police Officer Diesinger for his outstanding performance at a recent fire at Sanatoga Manor on Evergreen Road. Officer Diesinger was first on the scene and took the initiative to have all first floor residents moved behind fire doors without any direction and prior to the Fire Marshal's arrival.

Highway – Public Works Department: Commissioner Foltz read the Public Works Report for the month of August 2016. Report will be posted on the bulletin board.

Commissioner Foltz commended the Public Works Department for their hard work on the macadam during the extreme weather conditions.

C.O.G.: No report. Commissioner Foltz stated that the next meeting will be Tuesday, September 13, 2016 and the township is hosting the meeting. He will be out of town and Commissioner Lopez will attend the meeting. Commissioner Lopez extended an invitation to the other Commissioners.

Engineer: Scott Exley, P.E. of Bursich Engineering, presented the written Engineers' report updating the Board on various projects and activities going on in the Township. He highlighted the following projects:

- **Rupert Road Bridge** – Preliminary plans were submitted to the County for review. We have them back and are working on permitting and addressing County comments; they would like final approved plans, specifications and costs estimates in the winter of this year so they can bid the job for construction next year.
- **Sanatoga Green** - Submitted their first set of plans in for review. Chad Camburn did extensive review and a meeting is scheduled for September 12th to discuss comments, their potential effects on the plans and what they will need to revise.
- **Spring Valley Farms** – After the applicant met with Penn DOT, Penn DOT would like to have some right of way reserve to have that road realigned at some time. The applicant put together three design alternatives for Penn DOT to review and provide their comments.

The following projects were recommended to be closed:

Bella Italia (2209 E. High Street) Land Development and Brookside Estates Subdivision

Commissioner Klotz would like to see a more proactive stance on the Rupert Road Bridge project. Mr. Exley replied that 2017 is a realistic date for final approvals. The only potential hurdle is acquisition of Right-of-Way and Easements. The County is meeting with the homeowners and going through the process of getting these items resolved.

Solicitor: Mr. Garner had no written report but said that he will provide one.

He announced that the bid documents for trash contract were finalized. Notice has been published. Bid documents will be available at the Township on Friday, September 9, 2016. Pre-bid Meeting has been established for September 21, 2016. Bids are due October 3, 2016.

In regards to local agency hearing held on behalf of Officer James Kenny a decision was issued basically saying the issue was premature pending the workers compensation decision. Officer Kenny's attorney filed an appeal from your order. Mr. Fallon has filed a motion to strike that appeal as being premature. That is pending in Montgomery County Court. The deadline for the officer's attorney to respond to that motion is Monday, September 12, 2016.

The manager has asked me to look into some information regarding the speed limit zone in front of the school on Pleasantview Road. We are looking for some guidance on how to address that issue. The school has indicated that there are no students who walk to school.

Commissioner Foltz commented that he would like to see the flashing signal pole reinstated.

Parks and Recreation: Mr. Wagner highlighted the following:

Lower Pottsgrove Community Day will be held on Saturday, October 22, 2016 from 10:00-2:00 at the old St. Pius 10th Building. More details will follow.

Mr. Wagner discussed the Montco 2040 Grant Agreement for Richards Park where we received a grant in the amount of \$80,000 for the completion 48 stabilized turf parking areas as well several raingardens to help with drainage. The work must be completed by August 2018.

Pottstown Metropolitan Planning Commission: Did not meet in June, July or August; next meeting will be this month.

Lower Pottsgrove Township Authority: Meeting next Monday at 7:00 looking at small water and sewer grants ranging from \$30,000-\$500,000 a match of 15% of available costs.

Have some sags on Welsh Drive Development as well as North Valley could be used for the grant application.

CORRESPONDENCE AND INFORMATION:

Ringling Hill Fire Company LED Sign Application:

Fire Company submitted an application as well as picture for two new LED signs at North Charlotte and White Pine Lane.

OLD BUSINESS:

Draft Investment Policy for Police & Non-Uniform Pension Plans for Review:

It was recommended that look into investment policies. A copy of the proposed plan was distributed to the Board for review and comment. Please review for the next couple of meetings for comments.

SUBDIVISION AND LAND DEVELOPMENT:

None.

NEW BUSINESS:

Montco 2040 Grant Agreement for Richards Park-Commissioner Foltz motioned to execute Grant Agreement. Commissioner Lopez seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Snow Plowing Quotes 2016-2017- Commissioner Klotz motioned to authorize requests for snow plowing quotes. Commissioner Swavely seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Ordinance 330 Left Turn Restriction Porter Road – Commissioner Lopez made the motion to advertise Ordinance 330 Left Turn Restriction on Porter Road between the hours of 4:00 pm and 6:00 pm. Commissioner Moholland seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

RESOLUTION AND ORDINANCE:

None.

REVIEW OF WARRANT #852 FOR THE MONTH OF AUGUST 2016

Township Manager stated it would be ready by the end of the week for review.

COMMISSIONERS COMMENTS:

Commissioner Mohollen had no comments.

Commissioner Lopez requested that if anyone hears of any major 9/11 events happening this weekend to please let him know so they may be reported to the County so they can prepare for additional traffic, etc. He also would like to thank the police for taking care of the noise complaint at the last meeting.

Commissioner Swavely welcomed new Secretary Sharon Colletti.

Commissioner Klotz commented on the Ringing Hill sign and the existing supports. Aesthetically he does not like how they look and suggested that maybe they be changed out to match. Commissioner Lopez agreed to look into this request.

Commissioner Foltz thanked Det. Sgt. Joe Campbell for filling in for Sgt. Foltz and thanked Sharon Colletti for attending the meeting on her first day of service as Township Secretary.

Commissioner expressed his “disappointment” in the media for not advertising the “Support our Police” signs as promised at last months’ meeting. Mr. Joe Zlomek of the Sanatoga Post expressed his apologies and said it would be done. Commissioner Foltz then reminded all that the signs are available for sale for \$10.00.

Ed Wagner said the ribbon cutting at the Sanatoga Post Office on August 26th had a great turn out. In addition he has a meeting on site with the sign company Thursday to review the new LED sign for the Township Building at Buchert and Pleasantview roads intersection.

Mr. Wagner also welcomed Sharon on her first day.

Solicitor Garner had no comments.

There being no further business, the public meeting was adjourned at 7:59 p.m. Next regularly scheduled meeting will be held on Thursday, September 22, 2016 at 7:00 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Sharon Colletti".

Sharon Colletti
Township Secretary