

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS
January 4, 2016

The Board of Commissioners of Lower Pottsgrove Township held its reorganization meeting on Monday, January 4, 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.

SWEARING IN OF COMMISSIONERS:

Pursuant to the First Class Township Code, His Honor District Justice Edward C. Kropp, Sr., District 38-1-12, administered the Oath of Office to the Township's most recently elected officials from the November 2015 election:

Bruce L. Foltz
Stephen M. Klotz
Earl E. Swavely
James W. Vlahos

The following were in attendance:

Board of Commissioners: Bruce L. Foltz, Stephen M. Klotz, James W. Vlahos, Earl E. Swavely, Jr. and Raymond W. Lopez.

Edward C. Wagner, Manager; Jennifer V. Marsteller, Treasurer/Tax Collector; Michael A. Foltz, Chief of Police; Lew Babel, Fire Marshal; Scott Exley, Township Engineer and Michele Cappelletti, Secretary.

Commissioner Foltz announced the meeting was being recorded and asked speakers to please state their name, address and nature of business for the record.

EXECUTIVE SESSION:

Commissioner Foltz announced the Board of Commissioners met in executive session to discuss a personnel matter. No action was taken.

REORGANIZATION:

Mr. Wagner asked for nominations for the position of President of the Board of Commissioners. Commissioner Klotz made a motion to nominate Bruce L. Foltz as President. Commissioner Vlahos seconded the motion. There were no other nominations. Motion was unanimously approved. Vote was 5-0 in favor.

Mr. Wagner turned the meeting over to Board President Foltz, who asked for nominations for the position of Vice President of the Board of Commissioners. Commissioner Swavely made a motion to nominate Stephen M. Klotz as Vice President. Commissioner Lopez seconded the motion. There were no other nominations. Motion was unanimously approved. Vote was 5-0 in favor.

Commissioner Foltz read the following nominations for board officers, board committees, conference groups, staff positions and professional advisors:

Board President	Bruce L. Foltz
Board Vice President	Stephen M. Klotz
Vacancy Board:	Terrell Chestnut
Engineer	Bursich Associates, Inc.
Secretary	Michele M. Cappelletti
Township Treasurer	Jennifer V. Marsteller
Deputy Township Treasurer	Virginia Smith
Architectural Advisor	Donald Wirt
Zoning & Code Enforcement Officer	Joseph Groff
Fire Marshal	Lewis E. Babel, Jr.
Deputy Fire Marshal	Joseph Groff
Assistant Fire Marshal	Richard Lengel
Emergency Management Coordinator	Ray Lopez
Deputy (1 st Asst.) Emergency Management Coordinator	Mike Foltz
Asst. Emergency Management Coordinator	Michele M. Cappelletti
C.A.O. for Pension Funds	Edward Wagner

COMMITTEES

The following committees are hereby re-affirmed:

Finance/Budget	Edward Wagner Michele Christman
Police Committee	Stephen Klotz Earl Swavely

CONFERENCE GROUPS

The following committees were changed from committees to conference groups because the main purpose for each group is to gather information for presentation to the Board of Commissioners ("Board") rather than to take official action or render advice to the Board (Resolution No. 849-A, November 18, 2010):

Joint Pottsgrove Recreation Board	Earl Swavely (elected official) Citizen Rep – Patty Bleakley
Regional Planning	Ray Lopez Tom Troutman
Economic Development	Ray Lopez
Building	Stephen Klotz Ray Lopez
Fire	Earl Swavely
Trash	James Vlahos
Council of Governments (C.O.G.)	Bruce L. Foltz
Highway	Bruce L. Foltz

Commissioner Klotz made a motion to accept all nominations as read by Commissioner Foltz and stated in Resolution No. 1088-16. Commissioner Swavely seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

APPROVAL OF MINUTES:

Commissioner Klotz made a motion to approve the meeting minutes of the regularly scheduled December 17, 2015 Board of Commissioners meeting. Commissioner Lopez seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

COMMENTS FROM VISITORS:

Bill Wolfgang, Sanatoga, encouraged the Board to continue to be receptive and welcome the Landis family at the supermarket.

Mr. Wolfgang was very perturbed about the huge tax increase put upon the residents. He would like the Board to revisit the budget and reduce expenditures so the residents aren't hit with a tax increase.

Mr. Wolfgang asked how much of the budget is replenished by police fines. Chief Foltz explained non-traffic and traffic citations offer a very small return on the dollar because the fines do not offset the cost of the officers' time. Regarding criminal issues, Chief Foltz said the Township sees very little of that money because it goes back to the County and/or the State.

Mr. Wolfgang asked how the new Township solicitor will be selected. Commissioner Klotz explained he and Commissioner Swavely comprise a committee that will select the new solicitor. The committee plans to interview five firms on January 12 and 13. Commissioner Klotz anticipates a new solicitor will be selected by the end of January or the beginning of February. Mr. Wolfgang asked if the rate per hour will be part of their determination as to who will be selected. Commissioner Klotz said it definitely will be a factor in their decision.

Commissioner Foltz addressed Mr. Wolfgang's comments about the tax increase. He explained some of the tax increase was due to the Township's compliance with Montgomery County's mandate for all municipalities to purchase new radios. Commissioner Foltz further explained he tried to cut the Library's \$65,000 allocation, as well as allocations to the Historical Society and the Visiting Nurses, from last year's budget and he was met with strong opposition from the public. Insurance rates have also increased. Commissioner Foltz said the Mercury reported a 22% tax increase and he pointed out this is for all taxes, not just the Township tax (\$338 based on the average assessment of \$100,000), which is less than a yearly subscription to the Mercury. Mr. Wolfgang said since he's lived here his taxes have tripled and Commissioner Foltz recommended he go to the School Board.

Tony Doyle, 1745 Kepler Road, said Montgomery County, the School District and the Township are all hitting the residents. Mr. Doyle felt a Township tax of \$380 per year is not the total tax because sewer and trash, which used to be included as part of the Township tax, is now billed separately to the residents. He felt the residents are not getting enough for their money and he used road paving as an example. He also stated one Department's budget increased by 11 percent.

Mr. Doyle said \$3 million has been taken from reserves over the past 10 years to balance the budget. He felt one day the Township would float a bond for a Township building and the money that was taken from reserves over the years could have been used for that purpose. Commissioner Klotz responded that the reserves fund is money that has been

brought into the Township and instead of leaving the money sitting in the fund, the Township used it as an alternative to raising taxes.

Mr. Doyle stated Wil Hallman is not going to install sidewalks and agreed to give the Township money in lieu of this requirement. Mr. Wagner confirmed this was correct for Buchert Ridge Phase 2 and the fee in lieu of is in the upper \$30,000s. Mr. Doyle was upset that it took 10 years to come to this agreement and said it cost Mr. Hallman \$200,000 in legal and engineering fees.

REPORTS:

Police

Chief Foltz presented the Police Report for the month of November 2015. He reported there were 1,035 calls for service. There were 123 traffic citations issued. There were 37 criminal arrests recorded that involved 18 adults and 6 juveniles were handled.

1. Calls for Service/Departmental Activities

- a. Sgt. Robert Greenwood was the recipient of the KenCrest Community Champion Award for 2015.
- b. Officer Scott Burnick successfully completed his one-year probationary officer status. Chief Foltz recommended that Officer Burnick be retained as a full-time tenured officer.
Commissioner Klotz made a motion to retain Officer Scott Burnick as a full-time tenured police officer. Commissioner Lopez seconded the motion and it was unanimously approved. Vote was 5-0 in favor.
- c. Sgt. William James, Sgt. Scott Weidenhammer and Det. Sgt. Joe Campbell all completed their one-year probationary status in their appointments to Sergeant. Chief Foltz recommended all be retained in their promoted positions.
Commissioner Klotz made a motion to retain Sgt. William James, Sgt. Scott Weidenhammer and Det. Sgt. Joe Campbell in their promoted positions as sergeants. Commissioner Lopez seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Chief Foltz presented the Police Report for the month of December 2015. He reported there were 1,029 calls for service. There were 36 traffic citations issued. There were 49 criminal arrests recorded that involved 22 adults and 2 juveniles were handled.

1. Calls for Service/Departmental Activities

- a. SRO Slothower has been very active with ALICE training in the school and in-house so our officers understand the school's policies regarding violent threats.
- b. Naloxone Program has been rolled out. Kits were deployed with each of the primary AEDs that go out in the cars. To date, the officers have not had to utilize.

2. Traffic Enforcement

- a. Patrols are conducting traffic enforcement efforts on Armand Hammer Boulevard (formerly Yost Road and Industrial Highway) in response to complaints about new signage and traffic patterns. The Department will work with PennDOT and make recommendations for additional signage.

3. Civil Service

- a. Detectives completed background investigations on 4 police officer candidates and polygraph examinations will take place later this week. To keep the process moving, Chief Foltz requested authorization for the Civil Service Commission to meet to certify an eligibility list. Commissioner Klotz made a motion to authorize the Civil Service Commission to convene for the purpose of certifying an eligibility list. Commissioner Swavely seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

All statistics and information are included in Chief Foltz's written reports for November and December.

Emergency Management

Commissioner Lopez delivered highlights from his Emergency Management Reports:

November:

The Limerick Generating Station Drill took place on November 17, 2015. Township staff did an ideal job. Montgomery County has indicated that overall the County did very well during this exercise.

December:

Township staff attended a joint training session with the Borough of Pottstown on Everbridge. Training was conducted held at Pottstown Borough Hall and conducted by Montgomery County personnel.

Fire Marshal

Mr. Babel highlighted the following statistics from his January and December reports:

Station	Total Calls		Total Hrs. of Service		Total Personnel Hrs.		Total Personnel Training Hrs.		Total Fundraising Hrs.	
	Jan	Dec	Jan	Dec	Jan	Dec	Jan	Dec	Jan	Dec
Sanatoga (Station 58)	25	32	34.75	33.5	112.5	91	90.5	136.5	Not provided (NP)	
Ringling Hill (Station 59)	23	26	11.5	25	112	NP	113	NP	269	NP

(Hours are approximate)

Mr. Babel is attending classes on hazardous materials for continuing education.

Highway—Public Works Department: Commissioner Foltz read the Public Works Report for the months of November and December 2015. Reports will be posted on the bulletin board.

C.O.G.—No report.

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

1. **Spring Valley Farms:** The engineers met with the applicant team to discuss recommended traffic improvements. Awaiting receipt of the revised plans.
2. **Sanatoga Green:** The engineers attended a meeting between the applicant and the Montgomery County Conservation District to discuss stormwater management and water quality requirements.
3. **Act 209 Study:** Process is ahead of schedule. A condensed written summary was provided to the Board.

Commissioner Foltz asked Mr. Exley if he had anything to do with the work on the Sunnybrook Bridge on High Street. Mr. Exley advised he had no input on that project. Commissioner Foltz was not pleased with the workmanship on the bridge.

Treasurer—Ms. Marsteller did not have the Tax Collector's Monthly Report to Taxing Districts for the month of December 2015 because she is in the process of closing out the year 2015.

Solicitor—Robert Brant's December 2, 2015 written report provided a synopsis of all projects his office worked on during the month of November.

Parks and Recreation

3rd Annual Food Drive—Mr. Wagner reported the Food Drive was held in conjunction with the Fire Companies' Santa Runs on December 19 and 20. Approximately 1,000 pounds of food was delivered to the Salvation Army on December 21.

2nd Annual Adopt-A-Family Program—Katie Smith presented unwrapped toys, clothing and household items to two families on December 21.

Both programs were very successful. Mr. Wagner thanked both fire companies, Katie Smith, Joe Groff and Bruce Foltz for their participation.

Pottstown Metropolitan Regional Planning Commission

Mr. Wagner reported a meeting of the Pottstown Metropolitan Regional Planning Commission meeting was held on December 3, 2015. Justin Keller, Regional Recreation Coordinator, continued discussion on the regional traffic impact of the proposed Town Center in New Hanover Township.

1. **Regional Recreation:** On January 12, 2016, Justin Keller will be holding a brainstorming session on regional recreation programs at the Schuylkill River Heritage Area.

Lower Pottsgrove Township Authority

Mr. Wagner reported the next meeting of the Lower Pottsgrove Township Authority will be held on Monday, January 11, 2016. The Authority will be approve the 2016 operation and capital budget and set the quarterly rate. Quarterly rate will remain the same at \$136.00 per quarter.

Donation

Mr. Wagner reported H&K donated time, equipment and materials to repair 700 feet of Sanatoga Road. Donation was valued at \$9,000. Commissioner Klotz asked if there was a reason for the donation. Mr. Wagner advised H&K uses the road heavily. Commissioner Klotz recognized Public Works Director John Fogel's efforts in working with H&K and arranging this donation.

Joe Zlomek of the Sanatoga Post asked if the Township had excavation work done in that area. Commissioner Foltz said there was debris left on the side of the road and John levelled it.

CORRESPONDENCE AND INFORMATION:

None.

OLD BUSINESS:

None.

SUBDIVISION AND LAND DEVELOPMENT:

None.

NEW BUSINESS:

Commissioner Lopez made a motion to accept the resignation of Robert Brant as Township Solicitor. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

RESOLUTIONS AND ORDINANCES:

Resolution 1083A-16—Commissioner Klotz made a motion to approve Resolution No. 1083A-16, the amended Roadway Sufficiency Analysis Report. Commissioner Swavely seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Resolution #1087-16—Commissioner Lopez made a motion to adopt the amended Emergency Action Plan. Commissioner Klotz seconded the motion. Commissioner Klotz asked how this plan was related to Emergency Management. Commissioner Lopez advised it addresses different scenarios that could occur in the Township Building and outlines courses of action, evacuation plans, etc. Motion was unanimously approved by a vote of 5-0 in favor.

Resolution #1089-16—Commissioner Klotz made a motion to approve Resolution No. 1089-16, reappointing Anthony Cherico to the Lower Pottsgrove Planning Commission.

Commissioner Swavely seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Resolution #1090-16—Commissioner Klotz made a motion to approve Resolution No. 1090-16, reappointing Frank Cebular to the Lower Pottsgrove Planning Commission. Commissioner Lopez seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Resolution #1091-16—Commissioner Swavely made a motion to approve Resolution No. 1091-16, reappointing James Toth to the Lower Pottsgrove Sewer Authority. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Resolution #1092-16—Commissioner Klotz made a motion to approve Resolution No. 1092-16, reappointing Robert Mohollen as a Full Member to the Zoning Hearing Board. Commissioner Lopez seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Resolution #1093-16—Commissioner Klotz made a motion to approve Resolution No. 1093-16, reappointing Michael Font to the Lower Pottsgrove Building Code Appeals Board. Commissioner Swavely seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Resolution #1094-16—Commissioner Klotz made a motion to approve Resolution No. 1094-16, reappointing Gregory Delp to the Lower Pottsgrove Building Code Appeals Board. Commissioner Lopez seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Warrant #844—Mr. Wagner advised Warrant #844 will be emailed to the Board of Commissioners.

COMMISSIONERS' COMMENTS:

Commissioner Vlahos had no comments.

Commissioner Lopez had no comments.

Commissioner Swavely had no comments.

Commissioner Klotz thanked the fire companies for the Santa Runs. He said no matter what age, the kids in this Township know when the fire trucks come through, Santa is on the back. He felt doing the food drive in conjunction with the Santa Runs is an added benefit that will keep growing.

Commissioner Klotz thanked Public Works Director John Fogel for his time and all he does for the Township. He said through his connections, John gets a lot of things done for the Township.

Commissioner Klotz congratulated all Board members. He is excited to work with this Board and the challenges that will come up. Commissioner Klotz said the Board realizes they have to make tough decisions and he thinks the Commissioners do a good job of coming to the right decisions.

Commissioner Foltz reported John Fogel was in an accident today. He was treated and released at the Hospital. John was rear ended at a stop sign and there is significant damage to the truck.

Commissioner Foltz thanked the Commissioners and staff for the year 2015. He said we had some good times and some rough times, which are hopefully all in the past. He is looking forward to working together as a team to run the Township.

Mr. Wagner said he spoke to John Fogel earlier this evening and John is doing fine. He complimented both fire companies and the Police Department for working together as a team at the accident scene.

There being no further business, the public meeting adjourned 7:42 p.m. Next meeting will be held on January 21, 2016 at 7:00 p.m.

Respectfully submitted,



Michele M. Cappelletti
Township Secretary