

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS
January 21, 2016

The Board of Commissioners of Lower Pottsgrove Township held its regularly scheduled work session meeting on Thursday, January 21, 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; James W. Vlahos, Earl E. Swavely, Jr. and Raymond W. Lopez.

Edward C. Wagner, Manager 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.

Solicitor Appointment—Commissioner Klotz reported on January 12, 2016 representatives from five firms were interviewed for the position of Township solicitor by Commissioner Klotz and Commissioner Swavely (“the Committee”). The Committee provided recommendations to the Board.

Commissioner Klotz made a motion to appoint Charles Garner as Lower Pottsgrove Township’s Solicitor. Commissioner Swavely seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Mr. Wagner was asked to notify Mr. Garner and the other candidates of the Board’s decision.

APPROVAL OF MINUTES:

Commissioner Klotz made a motion to approve the meeting minutes of the regularly scheduled January 4, 2016 Board of Commissioners meeting. Commissioner Lopez seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

PRESENTATION:

Sanatoga Green—Frank R. Bartle, Esquire, representing applicants Ken Brier and Ted Drauschak, delivered a presentation on the proposed Sanatoga Green Development. Chuck Dobson, engineer for the project, was also present at the meeting.

Mr. Bartle provided the Board with an Exhibit Packet and explained the modifications the applicant is proposing to the Township’s adopted Gateway Mixed Use (GMU) Ordinance No. 309 and Gateway Residential Overlay (GRO) Ordinance No. 310. He asked the Board to respectfully consider the proposed changes and authorize the Township Manager to advertise a proposed ordinance, which was already drafted and attached to the Exhibit Packet.

After the presentation, Commissioner Klotz had questions about parking. He was concerned that the national standard used to calculate the number of parking spaces would not be sufficient for a development with 508 total dwelling units (342 apartments, 166 townhomes). It was his feeling that more people would have cars in this suburban Philadelphia location. Commissioner Klotz would like to see what our local standard is in accordance with the Township's recently enacted Off-Street Parking Ordinance, as opposed to the national standard proposed by the applicant.

Commissioner Foltz asked if the number of parking spaces includes visitor parking. Mr. Bartle said it is the required parking per unit in general. He said it does not mean there couldn't be additional parking placed on the plan, but it would not be required. Commissioner Foltz expressed concern because there is currently a townhouse development in the Township that does not have adequate parking for visitors.

Commissioner Vlahos asked if the development would be anything like the Hankin Group mixed use development Eagleview. Commissioner Vlahos is familiar with this development and said there is plenty of parking available at different times of the day. Mr. Dobson did not know the parking standards used at Eagleview but agreed the parking is adequate. Mr. Dobson explained the developers want to take advantage of any opportunity to reduce impervious while not interfering with needs of community. They thought 1.7 was a good balance considering the unit mix at this development. Mr. Bartle added 1.7 is the blended rate and explained how overall the standard works. He will provide additional information to the Board regarding this matter.

After discussion, Commissioner Foltz recommended that the Township's new Solicitor review the matter. Commissioner Klotz agreed and it was the consensus of the Board to have Mr. Garner review the information provided for tonight's presentation. No action was taken. Mr. Bartle will provide Mr. Garner with any additional information he provides to the Board.

Commissioner Klotz asked Mr. Wagner to furnish Mr. Bartle with a copy of the Township's recently enacted off-street parking ordinance.

The developers of Sanatoga Green, Ted Drauschak and Ken Brier, further discussed the parking ratio and offered additional comments to the Board about the project.

COMMENTS FROM VISITORS:

Tony Doyle, 1745 Kepler Road, was glad to see the Board did not give an answer tonight on the proposed Sanatoga Green ordinance changes. He felt the Commissioners should have received the information earlier, not immediately prior to the presentation. Mr. Doyle did not understand why the developer made a presentation to the Board when the Township does not have plans for this project. Commissioner Klotz said it was an informational presentation.

Mr. Doyle expressed concern for the way raises are distributed to Township employees. He was in favor of giving raises in terms of dollars and cents, such as \$.50 or \$1.00 per

hour, instead of percentage raises across the Board. Mr. Doyle felt this would be fair to all employees. Commissioner Foltz said employees no longer receive across the board percentage raises and each employees raise is based on his/her job evaluation.

CORRESPONDENCE AND INFORMATION:

Ringling Hill Fire Company—Commissioner Foltz reported Ringling Hill Fire Company's 2015 Expense Sheet and 2016 Budget were provided to the Board for information. Mr. Wagner will contact Sanatoga Fire Company and request the same information from them.

OLD BUSINESS:

None.

SUBDIVISION AND LAND DEVELOPMENT:

None.

NEW BUSINESS:

2015 Fire Companies Audit—Commissioner Klotz made a motion to appoint Maillie to conduct the 2015 audit of Ringling Hill Fire Company and Sanatoga Fire Company at a fee of \$2,275 per audit. Commissioner Swavely seconded the motion. Commissioner Foltz asked if the Commissioners previously discussed if it was necessary to audit the fire companies every year. Commissioner Vlahos said there was discussion about auditing only the money the fire companies receive from the Township. Mr. Wagner confirmed that only the money collected from the fire tax will be audited.

With a motion on the floor made by Commissioner Klotz and seconded by Commissioner Swavely, motioned carried by a unanimous vote of 5-0 in favor.

2015 Township/Tax Collector Audits—Mr. Wagner reported Dreslin was awarded a three-year contract to conduct the Township/Tax Collector audits and 2015 is the final year of that contract. Fee is \$10,100 for the Township audit and \$1,600 for the Tax Collector audit.

Commissioner Vlahos made a motion to authorize Commissioner Foltz to sign the agreement with Dreslin and Company, Inc. to conduct the 2015 Township and Tax Collector audits. Commissioner Lopez seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Sanatoga Park Upgrades/Accessibility Improvements—Commissioner Vlahos asked if the low bidder would be providing all the necessary documents (bonds, etc.). Mr. Wagner said they will provide all the required information when we start the process.

Commissioner Vlahos made a motion to award the bid for the Sanatoga Park Upgrades and Accessibility Improvements Project to the low bidder, Pierce Homes Limited d/b/a C&R Outdoor Services; Downingtown, PA with a total bid of \$54,923.00. Commissioner Klotz seconded the motion. Commissioner Swavely asked if any

expenses are covered by grant money. Mr. Wagner advised the entire project will be covered by grant money, as the Township received a grant for approximately \$61,000 for the improvements. Pierce Homes Limited and Township staff will both work on portions of this project. Commissioner Foltz asked if someone has reviewed the bid, since we do not presently have a solicitor. Mr. Wagner said it was reviewed by Bob Brant while he was the Township Solicitor. Project will start mid-March.

With a motion on the floor made by Commissioner Vlahos, and seconded by Commissioner Klotz, motion carried by a unanimous vote of 5-0 in favor.

RESOLUTIONS AND ORDINANCES:

None.

Warrant #844— Commissioner Lopez made a motion to approve Warrant #844 for the month of December 2015. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Acceptance of Treasurer's Report—Commissioner Klotz made a motion to accept the Treasurer's Report for the month of December 2015, as submitted by Jennifer Marsteller. Commissioner Swavely seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

COMMISSIONERS' COMMENTS:

Commissioner Vlahos welcomed Chuck Garner as the Township's Solicitor.

Commissioner Vlahos had questions regarding the indoor riding center on Rupert Road. Mr. Wagner advised the Township received a letter from the property owner's attorney asking that the project be considered a minor land development. To date, the Township has not received engineered plans for this project.

Commissioner Vlahos was aware of the letter. He recalled the matter was previously discussed by the Board and the consensus was for the property owner to go back to zoning to modify a prior zoning decision. The property owner did go before the Zoning Hearing Board, the zoning relief was granted and the next step is for the Township to consider if the riding center project should be a minor land development.

Commissioner Vlahos recommended having the property owner post escrow, then having the Township engineers review the project and offer comment on whether it should be considered a minor land development. The escrow would be used to cover the cost of the engineer's review. Mr. Wagner said only a sketch plan was submitted and we need a more detailed plan. Commissioner Vlahos did not want the property owner to spend money on an engineered plan before the Township engineers offered their opinion on whether or not it should be considered a minor land development.

After discussion, Commissioner Vlahos made a motion to have the Township Manager approach the applicant regarding the posting of escrow, to be used towards paying the

Township engineer's review fees to determine if the indoor riding center modifications meet the criteria for a minor land development. Commissioner Klotz seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Commissioner Lopez advised he has been working with the Manager on drafting Meeting Rules of Order of the Board of Commissioners of Lower Pottsgrove Township. He summarized that the Township's meeting rules will be based on Robert's Rules of Orders and most of the rules are already in place and being followed. One of the new provisions would require those wish to make public comment to sign in, as it is sometimes challenging to determine who is speaking for the record. There is also a provision addressing public comment on a non-agenda item that comes up for a vote. A copy of the proposed Meeting Rules will be provided to the Board for its review.

Commissioner Lopez reported that Mr. Wagner created an organizational chart for the Township, which will be provided to the Board. He also noted a good resource, the Township Commissioners Handbook, is available on line.

Commissioner Lopez reported that at the last meeting, the Board approved the Township's Emergency Action Plan. Township staff participated in a training exercise, which was conducted by Chief of Police Michael A. Foltz. Safety training for staff will be conducted periodically.

Commissioner Lopez reported that Governor Wolf initiated an emergency proclamation in anticipation of the impending snow storm. Montgomery County and the Township started events on KnowledgeCenter to monitor this storm. Mr. Wagner reported we are at full capacity with salt and John reviewed the plow routes with Township staff and the subcontractors. John's plan is to start salting at 10:00 p.m. Friday night, then continue to salt and rough plow around the clock over the weekend. Commissioner Lopez said the Township is in a state of readiness.

Commissioner Foltz asked what the emergency declaration entails. Commissioner Lopez explained if there would be a situation that we would incur expenses over and above the norm, such as rental of front end loader from a private contractor for an emergency, there would be a possibility of reimbursement from the state. Commissioner Lopez stressed the importance of keeping accurate records of all expenditures incurred during the storm, such as meals, etc.

Commissioner Swavelly offered to help Commissioner Lopez during the storm should he need it. As the newly appointed fire liaison, Commissioner Swavelly intends to meet with each fire company and their presidents to open communication between the Township and the fire companies. He wants to keep a good working relationship.

Since the Road Crew would be reporting back to work at 10:00 p.m. on Friday, **Commissioner Klotz** recommended that they go home early during the day on Friday to rest for the impending storm. The Board agreed with this recommendation.

Commissioner Klotz said you can hear the excitement in the developer's voice about the Sanatoga Green Development and they want the Board to make things happen quickly. He supports the project but said this is a major piece of property and there are going to be people affected by it. He also stated we are going to be affected traffic-wise. Commissioner Klotz want to carefully consider the changes proposed by the developer and pointed out that by using national standards instead of local standards, it could benefit the developer and not the Township.

Joe Zlomek of the Sanatoga Post asked if this development would be restricted by the same PennDOT restrictions that were faced all along for development at the interchange. Mr. Wagner said there will need to be a westbound interchange ramp before PennDOT will release any highway occupancy permits. Mr. Zlomek said no matter what the developer is saying, being in terms of presenting unified plan in 30 or 60 days, they are really looking at two to three years before they start building. Commissioner Vlahos said they can't start building but when you sign a contract with a major player, such as a national builder or hotel chain, there has to be certain movement with the plan. If the plan is stalled, a national entity may be inclined to back out, as they are looking at more than one site nationwide.

Commissioner Klotz's concern is if the Township grants relief to one developer, it would have to grant relief to another and then it snowballs. He wants to proceed very carefully.

Commissioner Foltz will contact John Fogel tomorrow about keeping track of expenses and going home early. He thanked Commissioner Lopez and Michele Cappelletti for handling emergency management and said it takes a lot of time and effort. Commissioner Foltz will be available during the storm and offered his assistance.

Chuck Nippert, Pleasant View Road, pointed out that one of the things mentioned in this development is the minor change in the number of bedrooms, which will also have a change in the number of potential students to the school district. He feels this thought needs to be carried forward, as adding more students to the school district will have ramifications that need to be considered as well. Commissioner Foltz agreed.

Mr. Wagner said Montgomery County, according to its letter of January 12, 2016, is asking for escrow funds in the amount of \$325,000 for the replacement of the Rupert Road Bridge. This request is consistent with the Bridge Ownership Agreement the Board executed in August of 2015. Information was included in the Board's packet.

There being no further business, the public meeting adjourned 8:17 p.m. Next meeting will be held on February 1, 2016 at 7:00 p.m.

Respectfully submitted,

Michele M. Cappelletti
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Township Secretary