

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS

January 4, 2021

The Board of Commissioners of Lower Pottsgrove Township held their regularly scheduled meeting on Monday, January 4, 2021 through live video feed. The meeting was called to order at 7:01 p.m. and the Pledge of Allegiance was recited. The following were in attendance:

Board of Commissioners: Bruce L. Foltz, Earl E. Swavely, Raymond W. Lopez, Robert Mohollen and Michael McGroarty were all present through live video feed.

Edward C. Wagner; Manager, William James; Acting Chief of Police, Charles Garner, Solicitor; Chad Camburn; Township Engineer, Jennifer Marsteller; Tax Collector and Kathryn Vlahos; Secretary were also present through live video feed.

Commissioner Foltz stated the meeting will be recorded and viewed through live video feed through Zoom due to Covid-19 pandemic, he asked any speakers to give their name and address for public comments. The township is following social distancing guidelines recommended by the Center for Disease and Control to limit exposure.

APPROVAL OF MINUTES:

Commissioner Lopez made the motion to approve the minutes of the December 7, 2020 and December 17, 2020 Board of Commissioners meetings. Commissioner Swavely seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

COMMENTS BY VISITORS: None.

REPORTS:

Police

Acting Chief James presented the Police Report for the month of December 2020.

CALLS FOR SERVICE	784
ASSISTS:	
Given by Lower Pottsgrove PD	0
Received by Lower Pottsgrove PD	3
TRAFFIC ENFORCEMENT:	
Violations Indicated	16
DUI Arrests	4
CRIMINAL INVESTIGATIONS:	
Violations Indicated	62
Adults Arrested	13
Juveniles Handled	1

- Acting Chief James stated that the Police Department went through a battle with Covid-19, and they were down several officers. There were six officers that were able to work and kept the department functioning. All of the officers that had Covid-19 are back in the office and we are at full staff at this time. All of the shifts were covered, and the surrounding departments were notified for mutual assistance.

Emergency Management

Mr. Wagner read the Emergency Management report for the Month of December 2020 which stated that there were no activations for the month. As a reminder the township has been under a Declaration of Emergency since March 18, 2020 due to the outbreak of Covid-19 and still remain under that emergency.

Summary of events for the month of December— EOC is continuously monitoring ongoing weather conditions as the wintery weather begins as lower temperature rive in our area. They also provided personal protective equipment to our Emergency Services.

Mr. Wagner thanked Commissioner Lopez for driving to get the emergency equipment for the township staff, police department and fire departments that was well needed.

Fire Marshal

Mr. Wagner read the following statistics from the December 2020 Fire Marshal report:

Station	Total Calls	Total Hrs. of Service	Total Personnel Hrs.	Total Personnel Training Hrs.	Total Fundraising Hrs.
Sanatoga (Station 58)	31	44 hrs. 30min	85 hrs. 0min	260 hrs. 30 min	
Ringling Hill (Station 59)	31	36 hrs. 20min	57 hrs. 42 min	111 hrs. 0min	

(Hours are approximate)

Highway Public Works Department

Commissioner Foltz presented the December report.

Commissioner Foltz informed the board that he spoke with the Roadmaster, John Fogel about the third party that plowed the Welsh Drive development. In that development the township had a number of complaints which ranged from knocking down mail boxes, tearing up lawns, hitting a drainage pipe for a sump pump. Commissioner Foltz stated that it was totally unacceptable. He said that Mr. Fogel spoke with the company and informed them that if they continue to have these errors, they will no longer plow for Lower Pottsgrove Township.

C.O.G

Commissioner Foltz stated that there was nothing to report.

Engineering

Chad Camburn of 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:

- Sanatoga Green- started their onsite sewer installation during the week of December 28, 2020.
- 663 Storage Center- there was no change to report from previous report the design engineer has requested a meeting to discuss the upcoming design revision.

- Bursich is currently reviewing grading plans for two houses, one located at 205 Beaumont Lane and another located at 4060 Prospect Hill Lane.

Treasure Report

Jennifer Marsteller stated that currently the total collected for taxes has been 97.73% of the real estate taxes 2020 and in 2019 she collected 98.58%.

Solicitor

Solicitor Garner provided a written report with a synopsis of all projects his office worked on during the month of December and there was nothing to comment on at this time.

Park and Recreation

Mr. Wagner stated that there was nothing to report for Park and Recreation.

Pottstown Metropolitan Regional Planning Commission

Regional Planning Meeting will take place later this month.

Lower Pottsgrove Township Authority

Lower Pottsgrove Township Authority Meeting will take place on Monday January 11, 2021 at 6:30 p.m. where they will be reorganizing. They will also be discussing Phase 2 of the Woodland Drive sewer main replacement project. There is a preconstruction meeting that is scheduled for January 13, 2021. The board will also get a status update on the Gryphon Dryer.

CORRESPONSENCE AND INFORMATION:

Update on the First Class Township Code Recodification know as Act 96— Mr. Wagner stated that Act 96 went into effect on December 28, 2020, it is the First Class Township Code that was enacted in 1931. It has not gone under any comprehensive updates since 1949 and in 2016 there was a committee that was formed, and its purpose was to amend the First Class Township code by modernizing the language and reflect new case law. This was approved by the Governor back on October 28, 2020.

OLD BUSINESS: None.

SUBDIVISION AND LAND DEVELOPMENT: None.

NEW BUSINESS:

Discussion on the stipulation to settle for the following properties— Solicitor Garner reported to the board that in all of the cases that will be discusses the stipulations for settlement have been prepared, the school district has approved them and the county has approved them as well. If the board would like the first step would be to approve the stipulations for each of the properties.

- **440 Creekside Drive-** owned by Heritage Sunnybrook Village LP, — Commissioner Mohollen made a motion to approve the stipulation to settle for 440 Creekside Drive. Commissioner Lopez seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

- **600 Heritage Drive**—Commissioner Lopez made a motion to approve the stipulation to settle for 600 Heritage Drive. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 5-0 in favor.
- **800-1000 Heritage Drive** – Commissioner Swavely made a motion to approve the stipulation to settle for 800-1000 Heritage Drive. Commissioner Mohollen seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Commissioner McGroarty asked Mr. Wagner to see if the finance department would be able to see the impact on the townships budget for 2019, 2020 and 2021 and report back to the board at a later date.

3 Year Planning Assistance Contract— Mr. Wagner explained that the Montgomery County Planning Commission offers assistance to the township with review letters for subdivisions and land developments or to rewrite any ordinances. They are contracted on a hybrid approach, which the current contract ended on December 31st. The cost is would be biannually installment of \$3,675.00. Mr. Wagner highly recommends this service.

Commissioner Lopez made a motion to approve a 3-year Planning Assistance Contract with the County Planning Commission. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Advertise Equipment Bid— Commissioner Mohollen made a motion to advertise Equipment Rental Bid for consideration at the February 18, 2021 meeting. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Payout Officer Kenny— Mr. Wagner explained that Officer Kenny is currently out on HLA and in order to clear the books for 2020 Officer Kenny will be paid out for used time off. This has been down with other officers in the past.

Solicitor Garner stated that this is also done due to the requirements of the Heart and Lung Act and what the township has with the contract.

Commissioner Lopez made a motion to payout Office Kenny Holiday, Personal & Vacation Time for 2020, at the sum of \$9,906.63. Commissioner Swavely seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Advertise Ordinance 352—Solicitor Garner stated that there was prior talk to amended the non-uniform pension plan from its current status which is defined benefit plan to what is more typical today which is a defined contribution plan. This would be the new type of retirement plan for non-uniform hires that would be hired on a full-time basis. More discussion on this matter would occur at the February 1, 2021 Board of Commissioners meeting.

Commissioner Swavely made a motion to advertise Ordinance 352 for the establishment of a Defined Contribution Retirement Plan for Non-Uniform Employees at the February 1, 2021

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

RESOLUTION AND ORDINANCE:

Resolution #1230-21— Commissioner McGroarty made a motion to reappoint William Keohane to the Lower Pottsgrove Planning Commission. Commissioner Mohollen seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Resolution #1231-21— Commissioner Mohollen made a motion to reappoint James Toth to the Lower Pottsgrove Sewer Authority. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Resolution #1232-21— Commissioner Swavely made a motion to reappoint Keith Diener to the Lower Pottsgrove Zoning Hearing Board. Commissioner Lopez seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Resolution #1233-21— Commissioner Mohollen made a motion to appoint Michael Levering to the Lower Pottsgrove Building Code Appeals Board. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Resolution #1234-21— Commissioner Swavely made a motion to appoint Bud Lightcap to the Lower Pottsgrove Building Code Appeals Board. Commissioner Lopez seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Resolution #453-S— Commissioner Mohollen made a motion to approve the amendment for establishing certain fees, deposits and escrows payable to the Township. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Warrant #904- Warrant No. 904 for December 2020 will be distributed via email for the Commissioners' review.

COMMISSIONERS COMMENTS:

Commissioner McGroarty – Commissioner McGroarty is glad to see that everyone is on the road to recovery who was down. He also thanked Acting Chief James, the officers who put in extra effort to keep the streets safe and the mutual aid that was provided by surrounding municipalities.

Commissioner Mohollen – Commissioner Mohollen echoed Commissioners McGroarty's comments. He also stated that he is proud of our police department and thankful to have such a devoted police department.

Commissioner Lopez— Commissioner Lopez had no comments.

Commissioner Swavely – Commissioner Swavely echoed all of the Commissioners comments. Commissioner Swavely thanked the police department and the officers who stepped up with the shortage in the department. He also thanked Acting Chief James for stepping up and taking the

initiative and making sure the township had the proper mutual aid and assistance if we would have needed it.

Commissioner Foltz— Commissioner Foltz would like to send his condolences to West Pottsgrove Township and Police Department for the loss of their Chief.

Mr. Wagner— Mr. Wagner stated that there was a good meeting today in regards to the bond and the township should have their ratings sometime this week. The township should have their rate next week and there is a possible settlement date of February 16, 2021.

Solicitor Garner – had no comments.

There being no further business, the public meeting was adjourned at 7:35 p.m. The next meeting will be on Thursday, January 21, 2021 at 7:00 p.m. via Zoom.

Respectfully submitted,



Kathryn Vlahos
Township Secretary