

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS

March 1, 2021

The Board of Commissioners of Lower Pottsgrove Township held their regularly scheduled meeting on Monday, March 1, 2021 through live video feed. The 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, 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 Gus Meyer; Township Engineer, and Kathryn Vlahos; Secretary were also present though 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.

Solicitor Garner stated that in accordance with the Sunshine Act on February 3, 2021 the Board met in Executive Session to discuss a matter of personnel, no action or decision was made.

APPROVAL OF MINUTES:

Commissioner Swavely made the motion to approve the minutes of the February 18, 2021 Board of Commissioners meeting. Commissioner Mohollen 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 February 2021.

CALLS FOR SERVICE	751
ASSISTS:	
Given by Lower Pottsgrove PD	0
Received by Lower Pottsgrove PD	1
TRAFFIC ENFORCEMENT:	
Violations Indicated	6
DUI Arrests	2
CRIMINAL INVESTIGATIONS:	
Violations Indicated	46
Adults Arrested	16
Juveniles Handled	0

Acting Chief James stated that some highlights off of his report were the following.

- The School Resource Officer is back in the school district as request by the school district. He will continue into the school until the end of this school year. 2021 is the year that his MOU with the school expires and the school wants to discuss renewing the contract
- All patrol vehicles have been upfitted with new modems and antennas that were received from Montgomery County Public Safety Department. The body worn camera docking stations were also upfitted in each vehicle.
- The Civil Service Commission had a meeting in February and voted on a motion to adopt the examination hiring process for patrolman. In the agenda tonight there is a motion for the board to begin accepting applications for a fulltime police officer position.

Commissioner Foltz asked Acting Chief James where the officers stand on getting the Covid-19 vaccine. Acting Chief stated that some of the officers went out on their own to get it, some expressed no interest at this time and then there are some who are waiting for the County to open up again.

Commissioner Swavely asked Acting Chief with the SRO Officer going back to the school, will that create any hardship for the department with staffing and covering the normal street duties that is required. Acting Chief James responded no, and the SRO is only going to be there for three more months. They also anticipate an officer coming back off of HLA by that time which they are looking forward to. They should be able to work something out with the schedule.

Emergency Management

- Commissioner Lopez stated that there was one EOC activation for the month of February for a Snow Emergency on February 18th at midnight though February 19th at noon. Additionally, the Emergency Management Team conducted a number of limited watch desk activations during the various winter weather events.
- After a nearly snow-less winter of 2019-2020 and a relatively quite December 2020 and January 2021, including a snow event on December 16th to 17th, a weather pattern developed and brought a seemingly endless sequence of winter storms to our area throughout the month of February. The month opened with a blockbuster storm that brought winter precipitation for more than 48 hours straight and led to accumulations of over a foot of snow in Lower Pottsgrove Township, as well as in several other locations around the County. Four more significant storms would follow, two of which consistently dropped more than 6" of snow in numerous communities across the area.
- On February 4th the township received the reimbursement funds for Act 147 Grant amounting to \$1,557.98.
- On February 5th we took delivery of the new variable message sign donated by Montgomery County.
- On February 17th Commissioner Loped attended the monthly EM Training (incident Command System).
- On February 18th to 19th Snow Emergency due to Winter Storm.
- On February 24th Commissioner Lopez attended an additional EMC updated and Training Session.
- Commissioner Lopez made an announcement that the Bi-Annual Limerick Generating Station exercise is currently scheduled for November 16, 2021. This drill will include a

hospital action-based exercise. All municipalities within the EPZ will federally evaluated. Our Dosimetry equipment houses in the Township Building will be exchanged prior to the exercise in November.

Fire Marshal

Mr. Wagner read the following statistics from the February 2021 Fire Marshal report:

Station	Total Calls	Total Hrs. of Service	Total Personnel Hrs.	Total Personnel Training Hrs.	Total Fundraising Hrs.
Sanatoga (Station 58)	29		67 hrs. 22min	53 hrs. 06 min	
Ringling Hill (Station 59)	24	24hrs. 22min	53 hrs. 51 min	38 hrs. 40min	

(Hours are approximate)

Highway Public Works Department

Commissioner Foltz presented the February report.

C.O.G

Commissioner Foltz stated that there was nothing to report.

Engineering

Gus Meyer of Bursich Associates provided a written Engineers' Report in the Boards packet that updated them on various projects and activities going on in the Township.

- Sanatoga Greene Phase II and III plans were received and for final revisions.
- Spring Valley Farms Phase III has a revised grading plan that they would like consideration of. This is in reference to the existing berm that is along North Pleasantview Road.
- Phase I and II are progressing nicely for Spring Valley Farms, Phase I will be paved in the next month and a half. The storm water basin is in its final configuration now.
- Gerald Richards Park Phase II and III, the goal is to have that ready by the end of the week. There are some last minutes changes that needed to be made from the Conservation District.
- Bursich is noticing in all of their Municipalities of an increase in I&I in general which he believes is from the previous wet years that we have had.

Solicitor

Solicitor Garner provided a written report with a synopsis of all projects his office worked on during the month of February and there is one item that he would like to add to the report. Solicitor Garner just completed the Oil & Chip bid documents and found that AMS is responsive and responsible bidder, and they can award that bid to them if they are inclined to do that tonight.

Park and Recreation

Mr. Wagner reported that with regret Patricia Mazeski tendered her resignation from the Park and Recreation Board, she will continue to serve until the township can find a replacement. The township posted on their website and digital sign that they are looking for potential applicants.

Pottstown Metropolitan Regional Planning Commission

Mr. Wagner stated that the meeting took place via Zoom on February 24th and the main topic was the Pottstown Area Regional Recreation Committee plan for 2021 to 2025. They looked at the missions, various goals for the next four years and created some action items that they wish to accomplish. Bill Keohane from Lower Pottsgrove served on the steering committee and offered some valuable incite for that strategical plan.

Lower Pottsgrove Township Authority

Lower Pottsgrove Township Authority Meeting will take place on Monday, March 8, 2021 at 6:30 p.m. and the topic of discussion will be the ongoing improvements for what the developer, Sanatoga Greene is doing to the Sanatoga Lake Pump Station which is part of their development. They will have to install some additional pumps to allow for capacity at the pump station which was all approved by DEP. The Woodland Drive Phase II Sewer Main Replacement Project is on its way, the contract has been signed and the next step is to do submittals. They are looking to start sometime in early spring.

CORRESPONSENCE AND INFORMATION:

2021-02 Zoning Hearing Application— 2021-02 Zoning Hearing Application requesting a special exception from Section 250-21.C for low impact homebased business at 2013 Deer Ridge Drive. Mr. Wagner explained that the gentleman submitted an application to the township and Acting Chief James, Joseph Groff and Solicitor Garner met with the applicant and his attorney on this matter. The applicant is looking to get a license from ATF in three categories with would allow him to sell guns, ammunition and reloading supplies. He is going to occupy approximately 120 feet of his residence, hours are 9 AM to 5 PM and will be by appointment only. The applicant needs to go to the Zoning Hearing Board and everyone within 500 feet will be notified of the hearing that will take place on March 16th.

Solicitor Garner went into further details stating that this qualifies as a low impact home-based business, our ordinance requires a special exception. A special exception is not a variance it is a use that will have to be determined though your zoning ordinance as an appropriate use so long as the applicant is able to meet the standards and criteria that are outlined in the special exception. This would be regulated by ATF, but it qualifies as a low impact business under the townships ordinance and certainly residents will be notified of the hearing. Solicitor Garner suggested that prior to the hearing the Manger Edward Wagner, the Acting Chief James, Joseph Groff and himself suggest some additional conditions that can be communicated to the Zoning Hearing Board.

Commissioner Foltz stated that he is concerned with the fire aspect and storing the ammunition that close to other homes. Solicitor Garner stated that the storage of the ammunition would be very limited from what the applicant informed him of.

Commissioner Swavely stated that he has several questions and wanted to know if he would be able to attend the meeting to address his questions. He has experience and knowledge in the background of this and he has some questions that he would like to ask. Solicitor Garner stated that it would be a public hearing and most certainly he will be able to attend and asked questions and raise any concerns that he may have.

Commissioner McGroarty stated that in the attachment to the packet that they received it says that the application for the special exception must be approved by March 11th, and the Zoning Hearing is March 16th. Solicitor Garner stated that when they met with the applicant, they advised him that the date that the ATF was imposing was not going to work for purposes of the township. It was his understanding that ATF has extended that date. Commissioner McGroarty stated that this applicant is in his development, but he is not within 500 feet, but he thinks that he has the same concerns that Commissioner Foltz has.

Commissioner Foltz stated that his other concern is of accidentally firing off in the neighborhood. Commissioner Swavely stated that he agreed too especially with accidentally firing off the gun in transport. Commissioner Lopez added to the other Commissioners comments that he as well is concerned with all issues that have been mentioned. Commissioner Lopez stated that he is also concerned and there is not enough security in a residential house for the storage of the guns.

Commissioner Mohollen agreed with what the other Commissioners had to say and replied that there are other people in the township who have guns and ammunition in their homes that the township does not know anything about. The one thing that Commissioner Mohollen is ok with on this subject it is regulated by the ATF, where there are other residents that no one is watching and they can have as many guns as they would like, which leaves him torn on this matter.

Acting Chief James replied that they are regulated by the ATF, and there is a minimum amount of product at the house. Most of the items are going to be order by catalog and then someone comes and picks it up by appointment. Which will limit the amount of people that will be going to the residences.

Commissioner Mohollen asked if they would be allowed to require the applicant to have a security and fire suppression system as part of the requirements? Solicitor Garner replied that they would be reasonable conditions that can be proposed.

Solicitor Garner suggested to the board that since there was legitimately some concern for this, that the board take action to send Mr. Wagner and Acting Chief James to the hearing to listen to the testimony since they have heard the Commissioners concerns and questions. He also stated that any Commissioner can attend the meeting to listen and express their concern on the matter. The ATF will not approve anything until he gets some type of township approval.

Commissioner Lopez made a motion to authorize the Township Manager Mr. Wagner and Acting Chief James to the Zoning Hearing for 2013 Deer Ridge Drive to specifically express the

to the Zoning Hearing Board the concerns that were raised by the Township Board of Commissioners. Commissioner McGroarty seconded the motion, and it was unanimously approved. Vote was 5-0 in favor.

OLD BUSINESS:

Update on the Route 422 Westbound Ramp at Sanatoga Interchange— Mr. Wanger informed the board that there was not much to update the board on. He did reach out to Traffic Planning and Design to see when the preconstruction meeting was scheduled for, they are still waiting to hear back from PennDOT. The goal was to start in March which he thinks it will be delayed some and he is waiting to hear back from Traffic Planning and Design when they are going to have the preconstruction meeting.

SUBDIVISION AND LAND DEVELOPMENT: None.

NEW BUSINESS:

Post-Issuance Tax Compliance Policies and Procedures— Commissioner Mohollen made a motion to adopt the Post-Issuance Tax Compliance Policies & Procedures Commissioner Lopez seconded the motion and it was unanimously approved. Vote was 5-0 in favor.

Alloy 5 to place Municipal Building Project out to Bid— Randy Galiotto from Alloy 5 was present at the meeting to answer any questions that the board had. He stated that they have finalized the documents and they are looking for the board's approval to go out to bid.

Commissioner Lopez made a motion to authorize Alloy 5 to place the Municipal Building Project out to bid.

Commissioner McGroarty asked that with this motion is there still the opportunity to re-visit the idea of the size and cost of the building. Solicitor Garner stated that they do not have to accept the bids when they come in if they are not happy with them.

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

Oil & Chip Bid to AMS—Commissioner Mohollen made a motion to award the Oil and Chip Bid to AMS of Center Valley for \$96,000. Commissioner McGroarty seconded the motion, and it was unanimously approved. Vote was 5-0 in favor.

Equipment Rental Bid to Innovative Construction—Commissioner Mohollen made a motion to award the Equipment Rental Bid to Innovative Construction of Folcroft for \$122,875. Commissioner McGroarty seconded the motion, and it was unanimously approved. Vote was 5-0 in favor.

Applications for a Full-time Police Officer—Commissioner Swavely made a motion to advertise to accept applications for a full-time Police Officer position. Commissioner Lopez seconded the motion, and it was unanimously approved. Vote was 5-0 in favor.

RESOLUTION AND ORDINANCE: None.

Warrant #906- Warrant No. 906 for February 2021 will be distributed via email for the Commissioners' review.

COMMISSIONERS COMMENTS:

Commissioner McGroarty – Commissioner McGroarty thanked the Road Crew and the Contractors that plowed the township. He felt that over the last couple of storms have kept the streets clean and passable.

Commissioner McGroarty also commented about the SRO Officer for the school and wanted to know if Mr. Wagner could find out how many neighboring school districts employee SROs provided by the Municipalities and how many hire their own security.

Commissioner Mohollen – Commissioner Mohollen stated that at the last meeting asked Mr. Wagner to provide the board with some information about the budget and road crew supplies. From that information he reviewed and came to the conclusion that as long as we don't have two or three more large storms we are in good shape for budgeting. The road crew has done an outstanding job with the snow removal this year.

Commissioner Lopez— Commissioner Lopez commented that he feels that it would be appropriate to accept Patricia Mazeski's letter of resignation with regrets and thank her for her willingness to stay on until we can find another person to take that position.

Commissioner Lopez made the motion to formally accept Patricia Mazeski's letter of resignation with regret. Commissioner Foltz seconded the motion, and it was unanimously approved. Vote was 5-0 in favor.

Commissioner Lopez also thanked the road crew, especially Mr. Fogel for keeping him informed as the Emergency Management Coordinator on how things were going while he was out. He also thanked Mr. Wagner and any other staff including police officers who kept a vigilant eye out on the streets. He also thanked Acting Chief James for communicating with him.

Commissioner Swavely – Commissioner Swavely no additional comments than what was said already.

Commissioner Foltz— Commissioner Foltz agreed with Commissioner McGroarty about the officer in the school and would like that information so that they can evaluate that.

Commissioner Foltz thanked everyone that worked on the municipal complex for all of their hard work.

Mr. Wagner—had no comments.

Solicitor Garner – had no comments.

There being no further business, the public meeting was adjourned at 7:56 p.m. The next meeting will be on Thursday, March 25, 2021 at 7:00 p.m. via Zoom.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kathryn Vlahos".

Kathryn Vlahos
Township Secretary