

**LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS**  
**May 19, 2022**

The Lower Pottsgrove Township Board of Commissioners held a public hearing at the Township Municipal Building, 2199 Buchert Road, Pottstown, PA to receive public comment on the proposed Inter-Municipal Transfer of a Restaurant Liquor License to be used at Royals Farms, 300 Armand Hammer Boulevard.

Solicitor, Jamie Ottaviano, opened the hearing at 6:00 p.m. and stated the following for the record:

1. Pennsylvania's Liquor Code requires that any time a Liquor License is transferred from one municipality to another within the same county, the applicant must seek approval from the municipality, and the municipality must hold one (1) Public Hearing to receive comments and recommendations from residents of the municipality.
2. The legal notice for the hearing was duly advertised in the Pottstown Mercury on May 5, 2022, and May 12, 2022.
3. A true and correct copy of the application for the Inter-Municipal Liquor Transfer and the Affidavit of the publication is available for the public.
4. The existing license would be transferred from Upper Hanover Township.

Jonathan Jordan, an attorney representing the applicant, spoke regarding the proposed sale of beer and wine in their location of 300 Armand Hammer Blvd., Lower Pottsgrove, PA. He stated the following for the record.

1. There will be specific registers for alcohol sales that will require a valid ID to be scanned.
2. The limits for any transaction are one hundred ninety-two (192) ounces of beer or three thousand (3,000) mL of wine.
3. There will be seating for thirty (30) individuals.
4. All employees will be adults and will be completing the "RAMP" (Responsible Alcohol Management Program) certified by the PA Liquor Control Board.
5. The hours for alcohol sales are 7:00 a.m. – 2:00 a.m., Monday-Saturday, and 9:00 a.m. – 2:00 a.m. on Sunday. Wine sales must stop at 11:00 p.m.
6. Individuals are limited to one beer per person on the premises, and no open containers are permitted out of the store.

Mr. Jordan opened the hearing to any questions.

Commissioner Swavely asked if the employees selling the alcohol would be of legal age (21). Mr. Jordan assured Commissioner Swavely that the employees would be of legal age (21) and will have gone through RAMP training. Mr. Jordan also explained that there is always a site manager on each shift to ensure the rules are being followed properly.

Commissioner Lopez asked Mr. Jordan if the thirty (30) indoor seating was specifically for consuming alcohol. Mr. Jordan stated that the seating can be used for dining and/or drinking, with limits. Commissioner Lopez asked Mr. Jordan what specific entity the liquor license is coming from. Mr. Jordan stated the license was coming from The Carriage House Restaurant in East Greenville.

Joseph Zlomek asked Mr. Jordan if there were specific time frames where the alcohol can and cannot be sold. Mr. Jordan explained the hours for alcohol sales are 7:00 a.m. – 2:00 a.m., Monday-Saturday, and 9:00 a.m. – 2:00 a.m. on Sunday. Wine sales must stop at 11:00 p.m.

Thomas Troutman asked Mr. Jordan what “liquor” can be sold at the store. Mr. Jordan explained that it will be just beer and wine. Mr. Troutman also asked if they had the ability to sell spirits. Mr. Jordan explained that they would be allowed, however, the spirits could not be to-go. Mr. Jordan explained that is not the intention of having the liquor license, however, it is to sell only beer and wine.

Mr. Wagner asked Mr. Jordan if the alcohol sales could be combined with the food sales. Mr. Jordan explained that the food items and alcohol can be purchased together at the proper register.

Commissioner Foltz via Zoom asked Mr. Jordan if alcohol purchases can be made at the self-check-out counters. Mr. Jordan explained to Commissioner Foltz that you will not be able to purchase alcohol at the self-check-out lanes. Commissioner Foltz asked Mr. Jordan where the alcohol would be in the store. Mr. Jordan stated the alcohol would be in the back of the store.

**The hearing was adjourned at 6:17 p.m.**

**The regularly scheduled meeting was called to order at 6:30 p.m. by Commissioner Earl Swavely.**

The Board of Commissioners of Lower Pottsgrove Township held their regularly scheduled meeting on Thursday, May 19, 2022, at the Lower Pottsgrove Municipal Building, 2199 Buchert Road, Pottstown, PA. The Pledge of Allegiance was recited, and the following were in attendance:

Board of Commissioners: Earl E. Swavely, Raymond W. Lopez, and Robert Mohollen, were all present. Bruce L Foltz was present via Zoom. Michael McGroarty was absent.

Edward C. Wagner: Manager, and Jamie Ottaviano: Solicitor were also present.

Commissioner Swavely stated the meeting will be recorded and he asked any speakers to give their names 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 May 2, 2022, Board of Commissioners meeting. Commissioner Mohollen seconded the motion, and it was unanimously approved. The vote was 4-0 in favor.

**COMMENTS BY VISITORS:**

**Thomas Troutman - 2469 E. High St., Pottstown, PA 19464**

Mr. Troutman explained that Bobby Shantz, a former MLB player from Pottstown, would be a great guest at our upcoming Community Day in September. Mr. Troutman also expressed his concerns about speeding on High Street and requested more police presence. Commissioner Swavely assured Mr. Troutman that his concerns will be addressed.

**CORRESPONDENCE AND INFORMATION:**

**Proposed water rate change for Pennsylvania American Water Customers**

Mr. Wagner explained that on April 29, 2022, we received notice from PA American Water Company that they have requested a rate increase from PUC (Public Utility Commission) to increase rates. The water rates will begin June 28, 2022, however, may not take effect until January 2023. Mr. Wagner explained the rate changes will affect residents along Rupert Road and the new development, Sanatoga Crossing/Green. Mr. Wagner gave an example; if a customer uses 3,200 gallons a month, they will see an increase from \$60.49 to \$75.49.

**RESOLUTIONS AND ORDINANCES:**

**Resolution 1282-22 approval of Stuart Randall Chinofsky as Fire Police for Ringing Hill Fire Company**

Commissioner Lopez made a motion to approve Stuart Randall Chinofsky as Fire Police for Ringing Hill Fire Company. Commissioner Mohollen seconded the motion. The vote was 4-0 in favor.

**OLD BUSINESS:** None

**SUBDIVISION AND LAND DEVELOPMENT:** None

**NEW BUSINESS:**

**Presentation on a proposed land development plan for Coventry Christian School located at 699 Pleasantview Road**

Mark Niehls, an administrator for Coventry Christian School, introduced himself to the Board and gave a brief overview of the proposed land development plan. Mr. Niehls explained that he is joined by Bob Flinchball with Cedarville Engineering. Mr. Niehls stated they were here to ask permission to complete infiltration testing on the Township property located along Pebble Beach Lane. Mr. Niehls explained this testing will allow Coventry Christian School to determine if it is feasible to propose a detention basin on Township property as part of Coventry Christian Schools' upcoming land development proposal. Mr. Niehls explained the proposed detention basin would be on Township property so Coventry Christian School can maximize their use of their property and specifically would like to develop a parking lot near where the school property borders Gerald Richards Park. Mr. Niehls explained he believes this proposal is beneficial for the school, the Township, and the residents. Mr. Niehls turned the presentation over to Mr. Flinchball. Mr. Flinchball provided the Board of Commissioners with proposed plans for the detention basin. Mr. Flinchball gave the Board an overview of the proposed uses, such as a new parking lot, a playground area, and a new building for classrooms. Mr. Flinchball also explained to the Board the stormwater management plan for the site. Mr. Niehls explained some benefits for the school, Township, and its residents, which include the following: additional parking for school and public uses, parking lot lights which would double as a place for cameras to provide camera coverage in the area. Placing the detention basin on Township property would create a barrier between the park, Rolling Hills, and the Pebble Beach Community, where there is currently a lot of foot traffic. Mr. Niehls explained to the Board that this project would be beneficial for each party involved. Solicitor Ottaviano explained to Mr. Niehls that a waiver letter and a Certificate of Insurance would be necessary to complete the infiltration testing and Mr. Niehls agreed. Commissioner Lopez made a motion to allow Coventry Christian School and its engineers access to the Township property in question for the purpose of perk-testing only, contingent upon the signing of the waiver letter and indemnification agreement. Commissioner Mohollen seconded the motion. The vote was 3-0 in favor.

**Motion to award the Pruss Hill Road Bridge Replacement Project to BI State in the amount of \$421,361.00**

Commissioner Lopez made a motion to award the Pruss Hill Road Bridge Replacement Project to BI State of Easton, PA in the amount of \$421,361. Commissioner Mohollen seconded the motion. The vote was 3-0 in favor.

**Motion to approve Payment Request #3 in the amount of \$68,400 for the Gerald Richards Park Project to James R. Kenney.**

Commissioner Mohollen made a motion to approve payment request #3 in the amount of \$68,400 for the Gerald Richards Park Project to James R. Kenney. Commissioner Lopez seconded the motion. The vote was 3-0 in favor.

**Motion to hire Barry Isett & Associates to conduct Commercial Inspection Services at a rate of \$125/hr., not to exceed 5 hours per week**

Commissioner Lopez made a motion to hire Barry Isett & Associates to conduct Commercial Inspection Services at a rate of \$125/hr., not to exceed 5 hours per week. Commissioner Mohollen seconded the motion. The vote was 3-0 in favor.

**Motion to extend a conditional offer of employment to David Shore for the Highway Laborer position**

Commissioner Mohollen made a motion to extend a conditional offer of employment to David Shore for the Highway Laborer position. Commissioner Lopez seconded the motion. The vote was 3-0 in favor.

**RESOLUTION AND ORDINANCE:**

**Resolution 1281-22 Inter-Municipal Transfer of a Restaurant Liquor License in Lower Pottsgrove Township**

Commissioner Mohollen made a motion to approve Resolution 1281-22. Commissioner Lopez seconded the motion. The vote was 3-0 in favor.

**APPROVAL OF WARRANT #920 FOR THE MONTH OF APRIL 2022.**

Commissioner Mohollen made a motion to approve Warrant #920 for the month of April 2022. Commissioner Lopez seconded the motion. The vote was 3-0 in favor.

**ACCEPT THE TREASURER'S REPORT FOR APRIL 2022**

Commissioner Mohollen made a motion to accept the Treasurer's Report for April 2022. Commissioner Lopez seconded the motion. the vote was 3-0 in favor.

**COMMISSIONERS COMMENTS:**

**Commissioner Lopez** - Commissioner Lopez addressed the public regarding their concerns about safety in their neighborhood. Commissioner Lopez stated that the Chief and Township Manager has and will continue to meet and work to find solutions.

**Commissioner Mohollen** - Commissioner Mohollen did not have any comments.

**Commissioner Foltz** - Commissioner Foltz did not have any comments.


**Commissioner Swavely** - Commissioner Swavely did not have any comments.

**Mr. Wagner**— Mr. Wagner stated that the fire hydrants in the Pottstown Franchise Area will begin flushing on May 23, 2022, which may cause browning of the water. Mr. Wagner explained to run the cold water until it runs clear.

**Solicitor Ottaviano** – Solicitor Ottaviano had no comments.

There being no further business, the public meeting was adjourned at 7:17 PM. The next meeting will be at the Lower Pottsgrove Township Building on Thursday, June 9, 2022, at 6:30 P.M.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Madison Orlor". The signature is fluid and cursive, with the first name "Madison" written in a larger, more prominent script than the last name "Orlor".

Madison Orlor  
Township Secretary