

## LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS

July 21, 2022

The Board of Commissioners of Lower Pottsgrove Township held their regularly scheduled meeting on Thursday, July 21, 2022, at the Lower Pottsgrove Township Building, located at 2199 Buchert Road, Pottstown, Pennsylvania.

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.

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

The regularly scheduled meeting was called to order at 6:30 p.m. and the Pledge of Allegiance was recited.

Commissioner Foltz stated the meeting will be recorded and he asked any speakers to give their names and address for public comments.

### **APPROVAL OF MINUTES:**

Commissioner Lopez made the motion to approve the minutes of the July 5, 2022, Board of Commissioners meeting. Commissioner McGroarty seconded the motion, and it was unanimously approved. The vote was 5-0 in favor.

### **COMMENTS BY VISITORS:** None

### **CORRESPONDENCE AND INFORMATION:**

**2022-11 Zoning Hearing Application for Heather & Jason Kucharek 3057 Pruss Hill Road R-1 (Residential) District. The applicant seeks a variance from Section 250-21.D.(4) for any detached accessory building which exceeds 600 square feet in area. They are proposing to install a 30'x60' (1,800SF) pole barn.**

Mr. Wagner explained that there is a current accessory building on the property that is in bad shape. Mr. Wagner explained that the applicant is going to be removing the old existing pole barn and installing a new one in the same spot. Mr. Wagner stated the hearing is scheduled for August 16, 2022. Commissioner Mohollen stated that if the proposed pole barn was replacing an existing structure, it was acceptable. Commissioner Lopez stated that he was concerned about commercial use of the pole barn which would cause traffic to the area. Mr. Wagner stated he would be sure to recommend to the Zoning Hearing Board that a restriction be added that no commercial use will be permitted.

### **OLD BUSINESS:**

#### **Update of the installation of a pole/lighting along Pebble Beach Lane**

Mr. Wagner explained that the proposal was \$20,900 for a wooden pole and a steel pole would be an additional \$2,500, which in return would exceed the state's bid requirements of \$21,900. If the Board would prefer the steel pole then the Solicitor will need to draw upon bid documents and publicly bid on the project. If you decided to elect the wood steel pole option, the Township will need to obtain three (3) written quotes from contractors. Mr. Wagner explained he was successful in getting the grant fund transferred from Pottstown Health and Wellness in the

amount of \$25,000 toward the installation of the light/camera system instead of the trail connection between Gerald Richards Park and the Pebble Beach Community.

**SUBDIVISION AND LAND DEVELOPMENT:**

None

**NEW BUSINESS:**

**Motion to advertise Ordinance 359 approving appoint of Solicitor, Interest Assessment and Attorney Fees and Collection Fees as part of the unpaid real estate taxes and municipal claims for delinquent accounts.**

Mr. Wagner explained the Consumer Federal Protection Bureau that released new guidelines last November that caused our Collection Agency, Portnoff, to change the first step of its collection process. Mr. Wagner stated there is no charge to the Township this year, however, it will be a \$25 charge in 2023. Mr. Wagner explained that if the property owner pays right away, they will avoid any additional charges.

Commissioner Lopez made a motion to advertise Ordinance 359 approving appoint of a Solicitor, Interest Assessment and Attorney Fees, and Collection Fees as part of the unpaid real estate taxes and municipal claims for delinquent accounts. Commissioner Mohollen seconded the motion. The vote was 5-0 in favor.

**Motion to advertise Ordinance 360 repealing the current adopted Uniform Construction Codes and International Codes of 2009, while adopting the Uniform Construction Codes and International Codes of 2018.**

Mr. Ottaviano explained that Lower Pottsgrove Township has adopted Uniform Construction Codes and International Codes, however, when the Codes are updated, the Township is responsible for adopting the latest Codes.

Commissioner McGroarty made a motion to advertise Ordinance 360 repealing the current adopted Uniform Construction Codes and International Codes of 2009 while adopting the Uniform Construction Codes and International Codes of 2018. Commissioner Lopez seconded the motion. The vote was 5-0 in favor.

**Motion to approve Payment Request #5 in the amount of \$116,221.14 for the Gerald Richards Park project to James R. Kenney**

Commissioner Mohollen made a motion to approve Payment Request #5 in the amount of \$116,221.14 for the Gerald Richards Park project to James R. Kenney. Commissioner McGroarty seconded the motion. The vote was 5-0 in favor.

**2023 Township Budget Adoption Calendar for your review**

Mr. Wagner explained that Commissioner Mohollen and Commissioner McGroarty reviewed the budget calendar and offered some minor suggestions. Mr. Wagner stated this is a work in progress, however, it is a good start. Mr. Zlomek asked if there would be any time for public input. Mr. Wagner explained that the first meeting in October would be the time for public comment on the 2023 budget followed by one in mid-November

**Motion to authorize staff to obtain proposals for the Traffic Signal Maintenance Contract**

Commissioner Lopez made a motion to authorize staff to obtain proposals for the Traffic Signal Maintenance Contract. Commissioner Swavely seconded the motion. The vote was 5-0 in favor.

**RESOLUTION AND ORDINANCE:**

**Resolution 1288-22 appointing Joseph McGeehan to the Lower Pottsgrove Sewer Authority**  
Commissioner McGroarty made a motion to approve Resolution 1288-22. Commissioner Lopez seconded the motion. The vote was 5-0 in favor.

**Resolution 1289-22 ICMA 457 Deferred Compensation Plan & Trust Roth Provision Amendment**

Commissioner Mohollen made a motion to approve Resolution 1289-22. Commissioner McGroarty seconded the motion. The vote was 5-0 in favor.

**NEW BUSINESS: @ 6:48 pm**

**Motion to accept the resignation of Bruce L. Foltz as a member of the Board of Commissioners effective August 8<sup>th</sup>.**

Commissioner Foltz read a letter thanking the Board and the residents for the wonderful years he spent in Lower Pottsgrove Township.

Commissioner Lopez made a motion to accept the resignation of Bruce L. Foltz as a member of the Board of Commissioners effective August 8<sup>th</sup>. Commissioner Swavely seconded the motion. The vote was 5-0 in favor.

**APPROVAL OF WARRANT #922 FOR THE MONTH OF JUNE 2022.**

Commissioner Mohollen made a motion to approve Warrant #922 for the month of June 2022. Commissioner McGroarty seconded the motion. The vote was 5-0 in favor.

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

Commissioner Mohollen made a motion to accept the Treasurer's Report for June 2022. Commissioner McGroarty seconded the motion. the vote was 5-0 in favor.

**COMMISSIONERS COMMENTS:**

**Commissioner McGroarty** – Commissioner McGroarty stated Commissioner Foltz and himself have been on the Board together for 10+ years and genuinely appreciates the opportunity to collaborate with Commissioner Foltz. Commissioner McGroarty stated how Commissioner Foltz was always kind, and always willing to listen to opinions. Commissioner McGroarty thanked Commissioner Foltz for his years of service on the Board and wished Commissioner Foltz and his wife nothing but the best in the future.

**Commissioner McGroarty stated he would like to make a motion to accept resumes for the open Board of Commissioners position until Monday, August 8, 2022. Commissioner Lopez seconded the motion. The vote was 5-0 in favor.**

**Commissioner Mohollen**—Commissioner Mohollen stated he is going to miss seeing Commissioner Foltz around the neighborhood and at meetings. Commissioner Mohollen explained that the position of President is a lot more than most people realize and thanked Commissioner Foltz for doing the job well for the community.

**Commissioner Lopez**— Commissioner Lopez echoed Commissioner McGroarty and Commissioner Mohollen. Commissioner Lopez added that he and Commissioner Foltz have spent many of years together and appreciate the time they spent together. He valued their friendship.

**Commissioner Swavely** – Commissioner Swavely echoed the other Commissioners. Commissioner Swavely added that Commissioner Foltz was always available, no matter the day or night. Commissioner Swavely also added that Commissioner Foltz was always there to help him as a new member of the Board. Commissioner Swavely thanked Commissioner Foltz for the years of service he provided to the Township.

**Commissioner Foltz**—Commissioner Foltz stated that he is going to miss being a part of the Board and going to miss seeing everyone around the Township.

**Mr. Wagner**— Mr. Wagner had no comments.

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

**Lew Babel – Fire Marshal @ 6:56 pm.**

Mr. Babel gave an overview of how he and Commissioner Foltz have worked together for many years. Mr. Babel went on to explain how Commissioner Foltz is always available and willing to lend a hand to help whenever possible. Mr. Babel stated he is going to miss having the Foltz family in the Township.

There being no further business, the public meeting was adjourned at 6:58 PM. The next meeting will be on Thursday, August 18, 2022, at 6:30 p.m. at the Lower Pottsgrove Township Building.

Respectfully submitted,



Madison Orler  
Township Secretary