

**LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS MEETING**  
**Monday, October 3, 2022**  
**6:30PM**

The Board of Commissioners of Lower Pottsgrove Township held their regularly scheduled meeting on Monday, October 3, 2022, at the Lower Pottsgrove Township Building, located at 2199 Buchert Road, Pottstown, Pennsylvania.

The following were in attendance:

Board of Commissioners: Raymond W. Lopez, Earl E. Swavely, Robert Mohollen, Michael McGroarty, and William Keohane

Edward C. Wagner: Manager, Jamie Ottaviano: Solicitor, Richard Bell: Chief of Police, and Lew Babel: Fire Marshall were also present.

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

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

**APPROVAL OF MINUTES**

Commissioner Swavely made a motion to approve the minutes of the September 22, 2022 Board of Commissioner meeting. Commissioner Keohane seconded the motion, and it was unanimously approved. The vote was 5-0 in favor.

**REPORT FROM THE TOWNSHIP MANAGER:**

Mr. Wagner stated that Chief Bell had spoken to the residents at Pebble Beach. Currently the light pole order will take 14 weeks to receive which takes us to the end of November. Comcast will need to be notified by the end of October to schedule service to operate the camera system.

**COMMENTS BY VISITORS:** None

**REPORT OF THE OFFICIALS AND COMMISSIONS:**

**Police**

Chief Bell presented the report for September 2022.

**STATISTICS**

<b>CALLS FOR SERVICE</b>	<b>992</b>
Directed Patrols / Extra Patrols	<b>749</b>

<b>ASSISTS:</b>	
Given by Lower Pottsgrove PD	<b>7</b>
Received by Lower Pottsgrove PD	<b>3</b>

<b>TRAFFIC ENFORCEMENT:</b>	
Violations Indicated	<b>170</b>
Traffic Citations Issued	<b>150</b>
DUI Arrests	<b>5</b>
Accident Investigations	<b>18</b>

<b>CRIMINAL INVESTIGATIONS:</b>	
Violations Indicate	<b>34</b>
Adults Arrested	<b>14</b>
Juveniles Handled	<b>1</b>
Youth Aid Panel/Reprimand Release	<b>1</b>
Juvenile Court	<b>0</b>
Adult Court/Citations (Juvenile)	<b>0</b>
MH/Involuntary Commitment	<b>2</b>

**FLEET INFORMATION**

***FLEET STATISTICS (FUEL)***

<b>GALLONS (Gas)</b>	<b>COST (Gas)</b>
<b>1443.605</b>	<b>\$ 4,434.41</b>

**VEHICLE MAINTENANCE**

UNIT	YEAR	MILEAGE	REPAIR COMMENTS	COST
88-1	2021	20,791	LOF, check up	\$83.51
88-2	2019	80,226	LOF, check-up, Inspection, fix leak in tire, replace serpentine belt, front brakes, and rotors	\$921.69
88-3	2020	52,851	LOF, check-up, fix leak in tire	\$185.96
88-4	2018	72,393		\$0.00
88-5	2019	55,799		\$0.00
88-6	2014		OOS	
88-7	2017	26,479		\$0.00
88-8	2014	75,003		\$0.00
88-9	2022	8,211		\$0.00
88-10	2019	31,208	Replace battery, check 4WD, replace headlight and tag light	\$326.69
88-11	2019	54,235	LOF, check-up, replace front brakes and rotors	\$935.16
88-12	2016	21,818		
88-13	2014	75,844	LOF, check-up, Inspection	\$143.86
88-14	2021	10,189		\$0.00
			<b>Total</b>	<b>\$ 2,596.87</b>

**OVERTIME BY ASSIGNMENT**

ASSIGNMENT	HOURS	COST
HEARINGS	0.00	\$ 0.00
COURT	15.50	\$ 1,027.02
SPECIAL ASSIGN. +	11.75	\$ 675.00
REPORTS	2.00	\$ 148.20
INVESTIGATIONS	0.00	\$ 0.00
ARRESTS	0.50	\$ 31.40
ADMINISTRATIVE	13.50	\$ 875.59
MSWAT/MIRT/RECON	3.25	\$ 226.75
COVER SHIFT	13.00	\$ 907.01
TRAINING	3.00	\$ 158.85
DRUG TASK FORCE +	0.00	\$ 0.00
DUI CHECKPOINT +	25.00	\$ 1,626.05
Traffic +	24.00	\$ 1,254.68
<b>TOTAL</b>	<b>109.50</b>	<b>\$ 6,930.55</b>

+Reimbursed

60.75

\$ 3,555.73

### CALLS FOR SERVICE COMPARISON

INCIDENTS	2022	2021	2020
Reported	992	1001	976
Assists Given	7	10	9
Assists Received	3	3	0
Traffic Violations	170	18	93
DUI Arrests	5	1	3
Criminal Violations	34	22	55
Adult Arrests	14	10	17
Juveniles Handles	1	5	4

Chief Bell stated highlights of his report were the following:

- Officer Tyler Smith began his field training and is doing well so far. He has completed inhouse training/certification on department weapons, taser and ASP baton.
- One (1) on-duty injury was reported during a training exercise.
- Officer have participated in the latest wave of Click it or Ticker enforcement.
- Department hosted a DUI Checkpoint.
- No criminal investigations/arrests.

#### Emergency Management

Commissioner Lopez stated that a low priority watch desk was activated in the early afternoon of September 23, 2022, for a tree on North Keim Street that became a traffic hazard. The road was closed for over 24 hours until Met-Ed responded to the scene to address the wire and the leaning tree. Commissioner Lopez also stated that the Montgomery County Health Department offered Potassium Iodide Tablets to the public as well as municipalities in September. Emergency Management ordered tablets for both fire companies and for our municipal EOC. They were picked up on September 15, 2022 and delivered to their respective recipients.

Emergency Management continued to work with the county to review issues concerning Hurricane Ida from last September to avoid repeating the same difficulties that were experienced during that major storm. Commissioner Lopez stated a reminder that individuals with special needs should register with the county through Constellation Energy if they need assistance to evacuate their residence due to an emergency at the nuclear power plant. (Special needs would be Deaf or hard of hearing, difficulty evacuating, no transportation, special medical needs). A free Walk-in Flu Shot Clinic has been offered at 545 N. Keim St for October 6, 2022, from 2:30pm to 7pm.

#### Fire Marshall

Mr. Babel read the following statistics from the September 2022 Fire Marshal Report:

STATION 58

TOTAL CALLS: 35

TOTAL HOURS OF SERVICE: 21 HOURS 35 MINUTES

TOTAL MAN- HOURS OF SERVICE: 109 HOURS 59 MINUTES

AVERAGE TURNOUT PER CALL: 07

TOTAL MEMBERS INJURED: 0

NUMBER OF TRAINING CLASSES: 05  
TOTAL MAN HOURS OF TRAINING: 108 HOURS 30 MINUTES  
TOTAL CLASS HOURS: 9 HOURS 30 MINUTES  
FUNDRAISING: 4  
TOTAL HOURS OF FUNDRAISING 10 HOURS 45 MINUTES  
TOTAL MAN HOURS OF FUNDRAISING: 34 HOURS 45 MINUTE

STATION 59  
TOTAL CALLS: 33  
TOTAL HOURS OF SERVICE: 17 HOURS 26 MINUTES  
TOTAL MAN HOURS OF SERVICE: 93 HOURS 22  
AVERAGE TURNOUT PER CALL: 05  
TOTAL MEMBERS INJURED: 0  
NUMBER OF TRAINING CLASSES: 1  
TOTAL HOURS OF TRAINING: 2 HOURS 0 MINUTES  
TOTAL. MAN- HOURS OF TRAINING: 16 HOURS 0 MINUTES  
TOTAL MAN HOURS OF EVENTS: 244 HOURS 15 MINUTES  
(Hours are approximate)

### **Highway Public Works Department**

Mr. Wagner reported that we worked on the following: mowers were serviced, prepared for the fall fest, tire rotation on the trucks, worked on MS4, worked on 2023 paving projects, cut parks, base repair on Orlando Road, started crack sealing, park inspections/repairs, moved jersey barriers to the Porter Road pump station, roadside cutting, repaired a manhole on Overlook Drive, serviced all snow plows, worked on school lights, and tree cleanup at Yerger Road.

### **Engineering**

Nick Perilli from McCarthy Engineering presented the engineer report which included the following:

- **Gerald Richards Park** – Project closeout is outgoing with DCNR. Pay application #6 received from contractor for \$98,300.96.
- **Pruss Hill Road Bridge** – Bridge demolition has been completed. Forming and rebar install is ongoing. Pay application #1 received from contractor for \$70,572.60. Concrete for footers scheduled to be poured 9/30.
- **N. Adams Street Bridge** – Application for County Transportation Grant has been submitted.
- **Sanatoga Green (phase 1, 2, & 3)** – Construction of walkway to park and clubhouse/sports area is complete. Curbing is ongoing. Construction of townhomes and apartments continued. Phase 1 apartments construction continuing and parking lots. Castle road received final wearing course and striping.
- **Spring Valley Farms (Phase 3)** – Settlement agreement has been drafted and is being presented for approval by all parties. Diversion swale/ berm along property boundary complete. Regarding behind lots 157 and 158 to prevent stormwater runoff complete.
- **1258 N. Charlotte Street** – Underground basin 95% complete. Additional grading to commence upon basin completion.

- **Royal Farms** – Review letter issued June 9. Revised submission has not been received. Infiltration testing completed.
- **Sanatoga Green (Phase 1)** – Grading plans have been reviewed and approved for units 23-26.
- **Sanatoga Marketplace** – Revised plans received on September 16. Review letter issued on September 27.
- **Coventry Christian School** – Submission received August 9. Review letter issued September 7.
- **1753 Karen Drive** – Revised submission received August 24. Stormwater approval letter issued on September 6.
- **Wawa (Provco Pinegood Sanatoga)** – 1<sup>st</sup> submission received September 14. Plans and reports currently under review.
- **AD Moyer** – Minor subdivision plan received on September 14. Plans currently under review. Grading permit also received on September 13. Denial letter issued on September 14.

### **Solicitor**

Solicitor Ottaviano provided a written report with a synopsis of all the projects his office worked on during the month of September.

### **Park and Recreation**

Mr. Wagner stated we have Empower Your Park on Saturday, October 15, 2022 from 9-11 a.m. We will be meeting at Sanatoga Park Bandshell. Bring your own gloves. Both of the bathrooms will be repainted, and the steps will be removed from the lower to upper parking lot due to safety concerns.

### **Planning Commission**

Mr. Wagner stated that at the upcoming meeting on October 17, 2022, will be the reviewing the proposed Wawa at 157 Evergreen Road. It is a 6100 SF building proposed with dual entrance, 16 gas pumps, four (4) electric charging stations, and seating for 30 people. Their goal is to be able to sell alcohol also.

### **Lower Pottsgrove Township Authority**

Mr. Wagner stated that the authority made the change at the last meeting that they will be having their meetings start at 6 p.m. They will be reviewing the 2023 budget which includes putting money towards the stream bank repair at the Sanatoga Pump Station to protect it, and we also want to replace additional sewer mains along Hilltop Road.

### **CORRESPONDENCE AND INFORMATION:**

2022-11 Zoning Hearing Application for LaTanya White-Springfield 2 Green Briar Court R-2 (Residential) District. The applicant seeks a variance from Section 250-59 side yard setback of 12 feet and a special exception from Section 250-21 Accessory Use for a 700 SF structure. Hearing will be Tuesday, October 11, 2022, at 6 p.m. to accommodate the resident not being available. There were no comments on their application from Commissioners.

**OLD BUSINESS:** None

**SUBDIVISION AND LAND DEVELOPMENT:** None

**NEW BUSINESS:**

**Motion to advertise Ordinance 362 to adopt the Comcast Franchise Agreement for November 7<sup>th</sup>**

This will be a 10-year agreement. Commissioner McGroarty made a motion to advertise Ordinance 362 to consider adopting the Comcast Franchise Agreement for November 7<sup>th</sup> at 5:45pm. Commissioner Swavely seconded the motion. The vote was 5-0 in favor.

**Motion to advertise a Conditional Use Hearing for Provco Pinegood Sanatoga, LLC 137-157 Evergreen Road for November 7<sup>th</sup> at 6:00pm**

Mr. Wagner stated that is for the proposed Wawa due to the fact they exceed the steep slopes provision of 15%. Commissioner Keohane made a motion to advertise a Conditional Use Hearing for Provco Pinegood Sanatoga, LLC 137-157 Evergreen Road for November 7<sup>th</sup> at 6:00pm. Commissioner McGroarty seconded the motion. The vote was 5-0 in favor.

**Motion to accept the resignation of Anita Meehan as a member of the Parks and Recreation Board**

Commissioner Swavely made a motion to accept the resignation of Anita Meehan as a member of the Parks and Recreation Board. Commissioner Keohane seconded the motion. The vote was 5-0 in favor.

**Motion to approve Payment Request #6 in the amount of \$98,300.96 for the Gerald Richards Park project to James R. Kenney**

Commissioner McGroarty made a motion to approve Payment Request #6 in the amount of \$98,300.96 for the Gerald Richards Park project to James R. Kenney. Commissioner Keohane seconded the motion. The vote was 5-0 in favor.

**Motion to authorize President Lopez to execute a Traffic Signal Maintenance Agreement and an Application for Traffic Signal Approval at N. Pleasantview Road and E. High Street**

Mr. Wagner stated that a left turn signal at N. Pleasantview Road and E High Street was discussed with PennDOT. A TE-160 form as well as Traffic Signal Maintenance Agreement needs to be submitted for PENNDOT to consider our request. Public Works Director John Fogel reached out to Telco to receive a quote of \$6,4000 for the installation of a left turn arrow. This is the process to get the left arrow installed. Commissioner Mohollen made a motion to authorize President Lopez to execute a Traffic Signal Maintenance Agreement and an Application for Traffic Signal Approval at N. Pleasantview Road and E. High Street. Commissioner McGroarty seconded the motion. The vote was 5-0 in favor.

**RESOLUTIONS AND ORDINANCES:**

**Resolution 1293-22 amendment to the police Department Policies & Directives Manual: Use of Force, De-Escalation, Duty to Intervene & Patrol**

Chief Bell stated that these are amendment to current policies based on recent court decisions as well as changing laws per our attorney's. Commissioner Swavely made a motion to approve

Resolution 1293-22 amendment to the police Department Policies & Directives Manual: Use of Force, De-Escalation, Duty to Intervene & Patrol. Commissioner Mohollen seconded the motion. The vote was 5-0 in favor.

**Resolution 1294-22 additions to the Police Department Policies & Directives Manual: Pursuit & Pregnancy**

Chief Bell stated that the pursuit policy had been listed under the patrol policy. They are now currently being separated for clarification purposes and easy access. The Pregnancy policy was revised to best suit female officers in the department strictly protecting her property right to her employment during pregnancy. Commissioner Keohane made a motion to approve Resolution 1294-22 additions to the Police Department Policies & Directives Manual: Pursuit & Pregnancy. Commissioner Swavely seconded the motion. The vote was 5-0 in favor.

**Resolution 1295-22 appointing Anita Meehan as a member of the Planning Commission**  
Commissioner Mohollen made a motion to approve Resolution 1295-22 appointing Anita Meehan as a member of the Planning Commission. Commissioner McGroarty seconded the motion. The vote was 5-0 in favor.

**Resolution 1296-22 amending the Non-Uniform Employee Handbook Sections 401, 404, 501, 502 & 602**

Commissioner McGroarty made a motion to approve Resolution 1296-22 amending the Non-Uniform Employee Handbook Sections: 401, 404, 501, 502 & 602. Commissioner Keohane seconded the motion. The vote was 5-0 in favor.

**REVIEW OF WARRANT #925 FOR THE MONTH OF SEPTEMBER 2022:**

Warrant #925 is still under review.

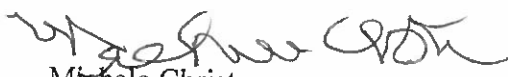
**COMMISSIONER COMMENTS:**

Commissioner Lopez mentioned about the Sanatoga Park clean-up project on Saturday, October 15, 2022, he welcomed everyone to come help volunteer.

Commissioner Swavely made a motion to adjourn the meeting. Commissioner Mohollen seconded the motion. The vote was 5-0 in favor.

There being no further business, the public meeting was adjourned at 7:16pm. The next meeting will be held on Thursday, October 20, 2022, at the Lower Pottsgrove Township Building.

Respectfully submitted,

  
Michele Christman  
Assistant Township Secretary