

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS MEETING
Monday November 7, 2022

The Lower Pottsgrove Township Board of Commissioners held a public hearing at the Township Municipal Building, 2199 Buchert Road, Pottstown, PA in reference to the Cable Franchise Renewal Agreement between Lower Pottsgrove Township and Comcast of Southeast Pennsylvania, LLC.

Solicitor, Jamie Ottaviano, opened the hearing at 5:45p.m.

We are here tonight for a public hearing to review the past performances of the cable operator, Comcast of Southeastern Pennsylvania, LLC, and to identify the future cable related community needs of the Township. Considering that agreement will expire in just a few months, the Township and Comcast have been in contact with one another for purposes of renewing their relationship by way of a new franchise agreement. The terms and conditions of the new agreement are essentially the same as the current agreement. The term of the new agreement will be 10 years expiring in 2033 and will have the same franchise fee of 5% of Comcast's gross revenues derived under the agreement. Legal notice of this public hearing was properly advertised in the Pottstown Mercury on October 7, 2022.

At this time the Township will hear any comments from the public. Since this hearing is being recorded, I kindly ask that you first state your name and address for the record before offering your comments. Please let the record reflect that there are no comments from the public. The board was given the opportunity for comments. Please let the record reflect that there are no comments from the board.

Solicitor, Jamie Ottaviano, closed the hearing at 5:47p.m.

Solicitor, Jamie Ottaviano, opened the Conditional Use Hearing at 6:00p.m.

The Lower Pottsgrove Township Board of Commissioners held a Conditional Use Hearing at the Township Municipal Building, 2199 Buchert Road, Pottstown, PA. Wawa Food Market 137-157 Evergreen Road is seeking a conditional use to allow the distribution of steep slope pursuant to Section 250-34. H (1) of the Lower Pottsgrove Township (LPT) Zoning Ordinance. The LPT Zoning Ordinance permits disturbance of steep slope of 15% by conditional use, subject to compliance with the General Standards set forth in Section 250-220 of the LPT Zoning Ordinance.

Julie Von Spreckelsen the attorney represented the applicant PROVCO PINEGOOD SANATOGA, LLC. Expert witness Eric Britz of Bohler Engineer presented testimony in the need for the applicant to disturb steep slope of 15%. Mr. Britz stated the need is due to the installation of both stormwater and sanitary lines to connect to the adjacent Sanatoga Green Development. He advised that avoiding the steep slope area would not allow for the sanitary sewer be serviced by gravity. Ms. Von Spreckleson reviewed the general standards requirements in Section 250-220 and how her client has complied with the said regulations. Mr. Ottaviano asked if any member of the Board of Commissioners would like to offer any comments to the applicant. Commissioner Mohollen asked Mr. Britz with regards to the retaining wall construction along Castle Road and what the overall height would be. Mr. Britz advised it will

be a retaining wall with tie backs and the height of the wall would be approximately 15 feet in height. Commissioner Lopez asked Mr. Britz to explain the elevation of the proposed Wawa as it relates to Evergreen Road. Mr. Britz stated the entrance driveway would have a 6% grade which in turn the building would sit lower than the existing roadway. Mr. Wagner asked Mr. Britz how he is going to address the existing Timber Harvest Plan that the Montgomery County Conservation District originally permitted back in October 2015. It was implemented for the entire site including Wawa back in the Fall 2020. You testified tonight the site was a residential, but it is current being used as agriculture. Mr. Britz stated he will need to look into the current permit with the MCCD. Mr. Wagner advised the permit needed to either amended or closeout before construction will be permitted to begin.

The hearing adjourned at 6:32pm.

The Board of Commissioners of Lower Pottsgrove Township held their regularly scheduled meeting on Monday November 7, 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 were all present.

Edward C. Wagner: Manager, Richard Bell: Police Chief, Lew Babel: Fire Marshal, Jim McCarthy: Township Engineer, Jamie Ottaviano: Solicitor, Nicole Varady: Secretary, Michele Christman: Finance Director and Michele Hogrelius: Assistant Finance Director were also present.

The regularly scheduled meeting was called to order by President Raymond W. Lopez at 6:33 p.m. 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 the motion to approve the minutes of the October 20, 2022, Board of Commissioners 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 informed the board of an opportunity presented at the monthly managers meeting by Elmwood Park Zoo to place Jaguars around Montgomery County in celebration of their 100th anniversary. Mr. Wagner would like to pursue sponsorship for the \$10,000 jaguar to be painted by a local artist and placed in the township in 2024 for a period of 2 years. No objections from the board.

COMMENTS BY VISITORS:

Tom Troutman, 2469 E. High Street thanked the board for the recent contribution to the Lower Pottsgrove Historical Society. A box of historical books was given to Mr. Wagner for anyone to review and/or purchase. Historical Society is holding a formal meeting on Thursday 11/10/22 at 7:30pm that is open to the public.

Commissioner Lopez thanked the historical society members for their efforts.

REPORTS OF OFFICIALS AND COMMISSIONS:

Police:

Police Chief Bell presented the Police report for the month of October 2022.

CALLS FOR SERVICE	1,005
Directed Patrols / Extra Patrols	792
ASSISTS:	
Given by Lower Pottsgrove PD	10
Received by Lower Pottsgrove PD	3
TRAFFIC ENFORCEMENT:	
Violations Indicated	96
Traffic Citations Issued	55
DUI Arrests	6
Accident Investigations	25
CRIMINAL INVESTIGATIONS:	
Violations Indicate	44
Adults Arrested	18
Juveniles Handled	6
Youth Aid Panel/Reprimand Release	3
Juvenile Court	1
Adult Court/Citations (Juvenile)	0
MH/Involuntary Commitment	1

- Officers attended FBI LEEDA training last week
- Charges filed against township resident for violation of Megan's Law registration
- Extra Duty officer worked each of the home high school football games
- Extra officers were brought in to work Halloween night with positive feedback from the community

Police Chief Bell concluded his report. Commissioner Lopez asked for questions or comments.

Commissioner Keohane commented that the Coffee with a cop the previous weekend went well and was appreciated.

Emergency Management:

Commissioner Lopez reported that there were no EOC Activations for the month of October.

Chief Bell, Sgt Weidenhammer, Mr. Wagner, and Eric Linsenbigler joined Commissioner Lopez in attending the 2022 EDITS Conference on 10/4 and 10/5.

Commissioner Lopez attended Montgomery County's Monthly Emergency Management Training regarding Business Continuity Planning on 10/19.

Township continues to work with the county to review issues concerning Hurricane Ida from September 2021 to avoid repeating the same difficulties that were experienced during the storm.

Emergency Plans updates for Lower Pottsgrove are ready for County's approval. Commissioner Lopez will present them to the county as soon as the county's schedule permits. Once approved, they will be presented to the board for approval.

Fire Marshal:

Fire Marshal Lew Babel presented the October 2022 report

Station	Total Calls	Total Hrs. of Service	Total Personnel Hrs.	Total Personnel Training Hrs.	Total Fundraising Hrs.
Sanatoga (Station 58)	21	13 hrs. 6 mins	37 hrs. 13 mins	118 hrs. 35 mins	13 hrs. 0 mins
Ringling Hill (Station 59)	20	6 hrs. 9 mins	22 hrs. 59 mins	285 hrs. 30 mins	

Highway Public Works Department:

Mr. Wagner presented the October report.

Engineer:

Jim McCarthy of McCarthy Engineering Associates provided a written Engineer's Report for the month of October 2022 updating the Board on various ongoing projects in the Township. Mr. McCarthy asked if there were any questions, there were no questions from the Board.

Solicitor:

Solicitor Ottaviano provided a written report with a synopsis of all projects his office worked on for the month of October. Due to the confidential and privileged information he will answer any questions during the Executive Session if necessary.

Parks and Recreation:

Mr. Wagner reported that the playground equipment ordered in June for Sanatoga Park should be delivered next week. The playground will be installed next to the bandshell.

Commissioner Keohane and Amy Henderson are working on additional funding for a pavilion/parking area for Sanatoga Park.

Planning Commission:

Mr. Wagner reported the next meeting will be held November 21. On the agenda is a 2-lot subdivision for AD Moyer located at 300 Armand Hammer Blvd. for a proposed Royal Farms.

Lower Pottsgrove Township Authority:

Mr. Wagner yields his time to Michele Hogrelius and Michele Christman who will go over proposed Sewer budget.

CORRESPONDENCE AND INFORMATION: None

OLD BUSINESS: None

SUBDIVISION AND LAND DEVELOPMENT:

None

NEW BUSINESS:

**Presentation of the 2023 Township's Operation Budget by the Finance Department:
Michele Christman and Michele Hogrelius**

The Finance Committee is recommending no tax increase for 2023 along with no quarterly sewer rent increase. There will be \$2 increase for the year on trash service in 2023. The Finance Department prepared a power point presentation outlining the revenue and expenses the Township is planning for 2023. Commissioners Mohollen and McGroarty thanked Department Heads, Mr. Wagner, and the Finance Department for delivering a realistic budget that keeps taxes in check for 2023. The Township is planning to take \$646,271 from reserves in order to balance the budget.

Joe Zlomek asked the status of the police arbitration ruling. Mr. Wagner advised Mr. Zlomek that we are stilling waiting for the final ruling from the arbitrator and hope to have it before the end of the year.

Motion to appoint Nicole Varady to Township Secretary effective November 7th

Commissioner Swavely made the Motion to appoint Nicole Varady to Township Secretary effective November 7th. Commissioner McGroarty seconded the motion. The vote was 5-0 in favor.

Motion to approve Payment Request #2 for the Pruss Hill Bridge Replacement project for \$139,207.50

Commissioner Mohollen made the Motion to approve Payment Request #2 for the Pruss Hill Bridge Replacement project for \$139,207.50. Commissioner McGroarty seconded the motion. The vote was 5-0 in favor.

RESOLUTIONS AND ORDINANCES:

Ordinance 362 to approve a cable franchise agreement between Lower Pottsgrove Township and Comcast of Southeast Pennsylvania, LLC

Commissioner Mohollen made the Motion to approve a cable franchise agreement between Lower Pottsgrove Township and Comcast of Southeast Pennsylvania, LLC. Commissioner Keohane seconded the motion. The vote was 5-0 in favor.

Resolution 1299-22 reappointing William Keohane as a member of the Pottstown Area Regional Recreation Committee

Commissioner McGroarty made the motion to approve Resolution 1299-22 reappointing William Keohane as a member of the Pottstown Area Regional Recreation Committee. Commissioner Swavely seconded the motion. The vote was 4-0 in favor. Commissioner Keohane abstained from voting.

Resolution 1300-22 PENNDOT Traffic Signal Maintenance Resolution for the intersection of N. Pleasantview Rd. and E. High Street

Commissioner Keohane made the motion to approve Resolution 1300-22 PENNDOT Traffic Signal Maintenance Resolution for the intersection of N. Pleasantview Rd. and E. High Street. Commissioner McGroarty seconded the motion. The vote was 5-0 in favor.

REVIEW OF WARRANT #926 FOR THE MONTH OF OCTOBER 2022

Mr. Wagner asked Michele Christman when the Commissioners will get a copy of the warrant. She advised later this week it will be emailed to everyone.

COMMISSIONERS COMMENTS:

Commissioner McGroarty thanked Michele Hogrelius and Michele Christman for an excellent job on the budget. He also welcomed Nicole Varady to the Township.

Commissioner Keohane also thanked both Michele's and welcomed Nicole.

Commissioner Mohollen also thanked both Michele's and welcomed Nicole.

Commissioner Swavely thanked both Michele's, welcomed Nicole and thanked Chief Bell for the additional police presence on Halloween.

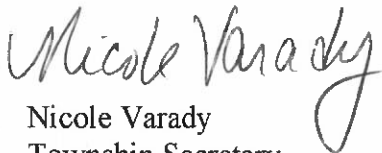
Commissioner Lopez thanked the Finance Department for their work on the budget. He also thanked Chief Bell for the numbers coming in and welcomed Nicole.

Mr. Wagner thanked the Department Heads for an outstanding job.

Mr. Ottaviano advised the public there will be an executive session after the meeting on a matter of personnel. There will be no votes or decisions at this time.

Commissioner Lopez 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 7:14 PM. The next meeting will be on Thursday, November 17, 2022, at 6:30 p.m. at the Lower Pottsgrove Township Building.

Respectfully submitted,



Nicole Varady
Township Secretary