

**Minutes – Board of Commissioners
Upper Pottsgrove Township**

December 17, 2018

The regular meeting of the Upper Pottsgrove Township Board of Commissioners was held on Monday, December 17, 2018, at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Commissioners Trace Slinkerd, France Krazalkovich, Renee Spaide, Martin Schreiber* and Elwood Taylor present. Also present were Township Solicitor Charles D. Garner, Jr., Police Chief Francis Wheatley, Public Works Director Justin Bean & Township Secretary Michelle Reddick.

MOMENT OF SILENCE – The Commissioners requested a moment of silence in honor of the men and women who have served or are currently serving our country in the armed forces.

PLEDGE OF ALLEGIANCE – Those assembled pledged allegiance to the flag.

PUBLIC COMMENT – There was no public comment.

APPROVAL OF MINUTES – Motion by R. Spaide, second by F. Krazalkovich and unanimously carried to approve the minutes of November 19, 2018 as written. Motion by R. Spaide, second by F. Krazalkovich and unanimously carried to approve the minutes of December 3, 2018 as written.

BILL LIST – Motion by R. Spaide, second by E. Taylor and unanimously carried to approve the Bill List in the amount of \$109,347.51.

MANAGER’S REPORT – Acting Township Manger Francis Wheatley advised the report was included in the packet. He explained the report is in a different format and the name of the report has been changed to “Township Administration Report”. He noted the new format does not include individual tasks completed by the manager, but rather important items related to all departments. He reported there was meeting with the auditors from Maillie and Michelle and Victoria are working with the auditors to resolve issues with beginning balances. He also reported that Carol Lewis and Justin Bean received updated quotes for the Green Light Go Grant, and Justin will be moving forward with scheduling work on this project. He further reported Michelle followed up with the new owners of Upland Square regarding the Annual Assessment payment totaling \$63,162.80 provided for as part of the Municipal Improvements Agreement for Upland Square shopping center, and payment was received on December 6, 2018.

CHIEF OF POLICE – The Chief noted his report was included in the packet. He reported Corporal Werner attended his final week of training at the FBI-LEEDA Executive Leadership training. He explained this program is designed for executive level law enforcement leaders and focusses on the emerging challenges facing our profession.

PUBLIC WORKS – J. Bean noted the report was included in the packet.

TOWNSHIP SOLICITOR – C. Garner noted the matters he has will be discussed under items on the agenda.

TOWNSHIP ENGINEERING AND BUILDING & ZONING – T. Slinkerd noted the reports were included in the packet.

PLANNING – E. Taylor noted there is nothing to report as there was no meeting this month.

OPEN SPACE AND RECREATION – R. Spaide advised the December meeting was canceled so there is nothing to report.

SEWER AND WATER – J. Bealer reported the Sewer and Water Committee meeting was held on December 4th, and a draft of the minutes was included in the packet. He reported October flows were recorded at 298,533 gallons per day which is equal to four (4) percent of purchased treatment plant capacity. He further reported developers of Sprogel’s Run and Crossroads developments are working on punch list items related to sewer which were identified in need of attention during ongoing inspections. He also reported smoke testing will be completed in Regal Oaks, and a notice will be sent to the residents prior to the testing. He noted there was a request from a property owner for an extension to connect to public sewer, and this matter will be discussed later in the meeting. He reported the Joint Sewer meeting was held on December 12, 2019, and it was reported our flows have improved. He reported expenses are on target for 2018, and the sludge dryer installation is progressing. He further reported the three (3) townships were requested to provide a report of their plans to reduce inflow and infiltration. He noted himself, Chris Pelka and Justin Bean will be working on this plan. He also reported there was a meeting concerning the gryphon dryer, and the building and mechanical construction should be completed in April 2019.

FIRE AND AMBULANCE – F. Krazalkovich noted the reports were included in the packet. He reported the Fire Company and Fire Service Committee recommended T.J. Wojton as Fire Chief. He further reported the command staff is the same. He noted there are other matters which will be discussed under agenda items. In response to a question from R. Spaide, F. Krazaklovich advised Chief Wojton was the most qualified person for Chief, and he will be taking classes.

OLD BUSINESS

CONSIDER APPROVAL OF FIRE PROTECTION ORDINANCE – C. Garner explained the intent is to not require the Board of Commissioners to approve regular activities every month. He further explained it has been revised to include firefighters and fire police, and it allows declaration of the emergency fire service provider by resolution. He noted it has been advertised, and if adopted, the Board would need to adopt a Resolution designating the fire service provider. Motion by F. Krazalkovich, second by R. Spaide and unanimously carried to adopt the Fire Protection Ordinance. F. Krazalkovich noted the Fire Service Committee expressed a concern we are using language separating firefighters and fire police, but he believes the language is appropriate.

CONSIDER APPROVAL OF RESOLUTION NAMING UPPER POTTS GROVE FIRE COMPANY #1 (79) AS FIRE SERVICE PROVIDER – Motion by F. Krazalkovich, second by R. Spaide and unanimously carried to adopt the Resolution establishing the primary fire service provider for Upper Pottsgrove Township as the Upper Pottsgrove Fire Company #1 (station 79).

CONSIDER APPROVAL OF 2019 BUDGET – T. Slinkerd advised there were questions raised at the last meeting and clarifications were provided. He noted there were questions regarding utilities being included as part of the Fire Fund budget. F. Krazalkovich explained there was a misunderstanding with respect to agreements and who is responsible for utilities. He referenced Section 7 of the lease agreement between Upper Pottsgrove Township and the Fire Company where it outlines the Fire Company is responsible for utilities. He is recommending we retain the line item for telephones in the Fire Fund budget in the amount of \$1,440.00, but we pay all other utilities for the Fire Company out of General Fund budget for 2019. He explained this will provide a chance for the Fire Company to anticipate and budget for these items for the following year. In response to a question from R. Spaide, F. Krazalkovich explained he is unsure whether the Fire Company had previously paid for utilities. T. Slinkerd noted there was another question regarding a line item for a contribution to Althouse Arboretum. He explained the \$20,000 budgeted under line item #454-247 in the General Fund includes \$5,000 for the Althouse Arboretum. E. Taylor provided information regarding previous discussions that this would be a separate line item in the budget so as not to lose the intent and purpose. He also outlined all the programs and activities available at the Althouse Arboretum. F. Krazalkovich noted it is unfortunate this is not a separate line item, and the new Board members did not get to see and hear the offer from Green Ailes for the Althouse Arboretum. He noted this is a small contribution compared to all the resources, programs and activities provided for by Green Ailes. In response to a question from T. Slinkerd, E. Taylor explained we would not get a specific project or invoice to approve, but rather it would be a contribution. In response to a question from F. Krazalkovich, E. Taylor explained we do not pay out of other funds for specific projects at the Althouse Arboretum. John Bealer noted the Township does provide assist with programs at the Althouse Arboretum (i.e., Christmas tree recycling). Acting Township Manger Francis Wheatley expressed concern the Township would be cutting a check and not requesting a line by line accounting for the contribution. F. Krazalkovich explained Green Ailes provides an annual report. T. Slinkerd noted he would like to see some accountability for the contribution. It was agreed to include the contribution to Green Ailes for the Althouse Arboretum as a separate line item in the 2019 budget. C. Garner advised the budget is just a plan, and the expense would be approved on the Bill List. T. Slinkerd referenced the last page of the General Fund budget and noted the fund balance is being utilized to cover the deficit. He suggested the Board be careful moving forward with utilizing the balance to cover the deficit. F. Krazalkovich referenced the operational fund reserve and suggested keeping these funds separate in its own fund. Motion by F. Krazalkovich, second by R. Spaide and unanimously carried to approve the 2019 budget with total revenues of \$3,177,226.07 and total expenses of \$3,412,281.93.

CONSIDER APPROVAL OF 2019 TAX MILLAGE ORDINANCE – T. Slinkerd reported the Ordinance has been advertised. He noted there is not tax increase for 2019. Motion by F. Krazalkovich, second by R. Spaide and unanimously carried to approve the Tax Millage Ordinance fixing the real property tax millage for the year 2019 at a total of 4.0 mills, with 3.4 mills for General Fund and .6 mills for Fire Fund.

CONSIDER APPROVAL OF FULTON BANK RESOLUTION – T. Slinkerd explained the proposed Resolution is to change the signatures on the accounts. He further explained the new signers would include Board President Trace Slinkerd, Board Vice President France Krazalkovich, Acting Township Manger Francis Whealtey and Township Treasurer Michelle Reddick. Motion by F. Krazalkovich, second by R. Spaide and unanimously carried to adopt the Resolution authorizing signatures on all bank accounts of Upper Pottsgrove Township at Fulton Bank.

NEW BUSINESS

CONSIDER APPROVAL OF FIRE POLICE ACTIVITIES – Motion by F. Krazalkovich, second by R. Spaide and unanimously carried to ratify the Fire Police activities for the month.

CONSIDER REQUEST FOR EXTENSION OF TIME TO CONNECT TO PUBLIC SEWER – John Bealer explained the property owner of 2058 Mimosa Lane has requested an extension of time to connect to public sewer. He further explained the standard notice to connect was dated October 25, 2018 providing them sixty (60) days to connect. They have requested an extension until fall of 2019, and the Sewer and Water Committee is recommending approval of the extension to connect. Motion by R. Spaide, second by E. Taylor and unanimously carried to grant an extension of time until October 31, 2019 for owners of 2058 Mimosa Lane to connect their property to the public sewer system. In response to a question from F. Krazalkovich, J. Bealer explained the request for an extension was received on November 29, 2018.

CONSIDER APPROVAL OF CODDINGTON VIEW ESCROW RELEASE NO. 3 - Motion by F. Krazalkovich, second by R. Spaide and unanimously carried to approve the final escrow release for Coddington View Phase 3 in the amount of \$1,000.00. E. Taylor noted it is exciting to see this development and all improvements within the development are finally completed.

CONSIDER APPROVAL OF CROSSROADS ESCROW RELEASE NO. 5 – Motion by E. Taylor, second by R. Spaide and unanimously carried to approve the escrow release in the amount of \$60,900.46 for the Crossroads development.

CONSIDER ACCEPTANCE OF NANCY TOOTHAKER’S RESIGNATION FROM OPEN SPACE & RECREATION BOARD – Motion by E. Taylor, second by R. Spaide, to accept, with regret, the resignation of Nancy Toothaker from the Open Space and Recreation Board.

CONSIDER APPROVAL OF 2019 MEETING SCHEDULE – Motion by E. Taylor, second by R. Spaide and unanimously carried to approve the 2019 meeting schedule.

OTHER PUBLIC COMMENTS

James Capinski, 1958 Yarnall Road, explained the First Class Township Code requires a deed of dedication for acceptance of a road as a public road. He advised he submitted a right-to-know request for a copy of the deed of dedication for the roads in the Gary Heights development which include Hanover Drive, Irwin Place and Windsor Court. He noted the Township became a First Class Township in 1965. He referenced Ordinance 140 which ordained the roads in Gary Heights as public roads in 1983. He advised that no deed of dedication for these roads was provided through his right-to-know request. He expressed concern regarding this, and noted he hopes the Township is not going to tell the residents of Gary Heights the same thing they told him and his wife which is they are no longer going to maintain these roads without a deed of dedication. He advised he was going to forget about it, but special counsel for the Township filed a motion for summary judgment last month. He noted he has a signed and notarized deed of dedication for Highview Lane which is just waiting for the Township to complete the road with the escrows they collected so he can submit the deed of dedication for approval. He advised the Township is collecting liquid fuels for the roads in Gary Heights and questioned whether these roads are public roads.

COMMISSIONER COMMENTS

Commissioner Krazalkovich advised he attended the County Commissioner’s meeting where they adopted their budget for 2019 with projected expenses of \$420,088,398.00. He noted the budget includes approved expenses of \$5.8 million for new voting machines. He further noted any interested residents or poll works can contact the County for training on the new voting machines. He provided two (2) copies of the County’s approved budget and information on the new voting machines. He reported he participated in the Reach Across America program where wreaths are placed on grave sites of veterans, and he had the privilege of placing a wreath on his grandfather’s grave at Arlington National Cemetery. He wished everyone a Merry Christmas and Happy New Year.

Commissioner Slinkerd thanked Acting Township Manger Francis Wheatley and Finance and Administration Lead Michelle Reddick for their efforts in assisting with the transition since the resignation of the Township Manager.

*Commissioner Schreiber arrived at the meeting at 7:54 pm.

EXECUTIVE SESSION – The Board adjourned into Executive Session at 7:55 pm to discuss collective bargaining, real estate and personnel with possible action to be taken. They reconvened at 8:55 pm.

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POLICE CHIEF CONTRACT – Motion by F. Krazalkovich, second by M. Schreiber and unanimously carried to approve and authorize staff to execute the addendum to the contract for the police chief.

POLICE CONTRACT – Motion by M. Schreiber, second by R. Spaide and unanimously carried to approve and authorize staff to execute the police contract for 2019-2021.

PURCHASE OF SCHWENK PROPERTY – Motion by E. Taylor, second by R. Spaide and unanimously carried to approve the purchase and authorize execution of the agreement of sale for the purchase of the Schwenk property at a cost of \$185,000.00.

ADJOURNMENT – Motion by R. Spaide, second by M. Schreiber and unanimously carried to adjourn the meeting at 9:00 pm.

Respectfully submitted,

Michelle L. Reddick, Township Secretary