

LOWER POTTS GROVE TOWNSHIP BOARD OF COMMISSIONERS
October 4, 2010

The Board of Commissioners of Lower Pottsgrove Township held its regularly scheduled meeting on Monday, October 4, 2010 at the Lower Pottsgrove Township Municipal Building, 2199 Buchert Road, Pottstown, Pennsylvania. Meeting was called to order at 7:00 p.m. The following were in attendance:

Board of Commissioners: James C. Phillips, Michael McGroarty and James D. Kaiser.

R. Kurtz Holloway, Solicitor; Rodney P. Hawthorne, Manager; Alyson E. Elliott, Assistant Manager; Jennifer V. Marsteller, Treasurer; Michael Shade, Chief of Police; Chad Camburn, Township Engineer and Michele Cappelletti, Township Secretary.

Absent from the meeting: Jonathan H. Spadt, President and Bruce L. Foltz, Vice President of the Board of Commissioners and Lew Babel, Fire Marshal.

COMMENTS FROM VISITORS:

Mr. William Wolfgang, Pruss Hill Road, asked why the addresses of people who make comments to the Board are included in the minutes. Commissioner Phillips responded that the addresses are used as contact information in the event that the Township has to respond to the speaker.

Mr. Wolfgang noted that the trash bill has gone up again and asked about a "pay per bag" option for trash collection. Mr. Hawthorne said the current trash contract expires at the end of 2011 and all options for trash collection will be considered at that time.

Mr. Wolfgang asked where the Township is, budget-wise, with expenses and income. Commissioner Kaiser reported that revenues are down but the Township has done a good job keeping expenses down.

Mr. Tom Troutman, 2469 E. High Street, commended J. P. Mascaro for doing a great job collecting his trash.

Mr. Troutman thanked the Commissioners, Mr. Hawthorne and Township staff for the stone arch bridge at Cutillos. Mr. Troutman said that in the past, he could walk across the bridge but now he cannot safely do that. He also noted that the white lines on E. High Street were moved and are too close to the edge of the road, which presents a problem when he has to check his mailbox. He felt there are safety issues for walkers, especially on the north side of E. High Street.

Commissioner Phillips responded that PennDOT followed state guidelines during the bridge project. He noted that when the previous Board voted to retain the integrity of the original bridge, that precluded the construction of a bike or walking path. Commissioner McGroarty asked if we can find out, from PennDOT, why the lanes are that width. Mr. Hawthorne will get the name and telephone number of the PennDOT representative from Mr. Camburn, and will forward the information to Mr. Troutman so he can contact PennDOT directly.

APPOINTMENT OF ENTRY LEVEL POLICE OFFICER:

Resolution No. 871—Commissioner McGroarty made a motion to approve Resolution No. 871, appointing James Joseph Kenney, Jr. as a Township Police Officer. Commissioner Kaiser seconded the motion and it was unanimously approved. Vote was 3-0 in favor.

Officer Kenney was sworn in by District Justice Edward C. Kropp, Sr, Magisterial District 38-1-12.

APPROVAL OF MINUTES:

Commissioner Kaiser made a motion to approve the minutes of the September 23, 2010 Board of Commissioners meeting. Commissioner McGroarty seconded the motion and it was approved by a vote of 3-0 in favor.

REPORTS:**Police**

Chief Shade highlighted the following from his September 2010 report—

1. **Calls for Service/Departmental Activities:** Lt. Foltz and Officer Diesinger assisted with the nationwide “Take Back” program for the safe disposal of prescription drugs. This program was sponsored by the DEA.
2. **Criminal Investigations/Arrests:** An arrest has been made and multiple charges have been filed against an Ivy Lane resident.
3. **Attachments:**
 - a. Several thank-you letters
 - b. Letter from US Department of Justice advising we did not get funding from the 2010 COPS hiring program.

All statistics and information are included in Chief Shade’s written report. Chief Shade asked the Commissioners to contact him if they had any questions or comments.

Fire Marshal

No report. Mr. Babel was absent from the meeting.

Highway—Public Works Department: The Public Works Report for the month of September 2010 will be posted on the bulletin board.

C.O.G.— No report.

Engineering—Mr. Camburn attended the Stormwater Coalition Steering Committee and reported on the status of the ordinance.

Treasurer—Ms. Marsteller distributed the Tax Collector’s Monthly Report to Taxing Districts for the month of September 2010 for review.

Ms. Marsteller reported that as part of the County-wide plan, Berkheimer Associates has reduced its rate from 2.25% to 1.39% for collection of Earned Income Tax and Local Services Tax, effective January 1, 2112. Since Lower Pottsgrove Township already uses Berkheimer to collect

both of these taxes, we are eligible for early implementation and the reduced rates will become effective January 1, 2111.

Solicitor—No report.

Parks and Recreation—Ms. Elliott reported that they are looking at the budget to make recommendations.

CORRESPONDENCE AND INFORMATION:

Traffic Complaint/N. Adams Street—In response to a resident's complaint, TSO Robert Diesinger conducted a traffic study for N. Adams Street. As a result of the study, Officer Diesinger has recommended that an ordinance be passed designating a section of N. Adams Street as a "No Parking" zone.

Commissioner Kaiser made a motion to authorize Township staff and the Solicitor to draft an ordinance designating a section of N. Adams as a "No Parking" zone, as recommended by TSO Robert Diesinger. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 3-0 in favor.

Route 422 Tolling—Spring City council member Michael Hays wrote a letter to the Board of Commissioners asking them to consider being a proponent and active advocate of the benefits of a "user tax/fee" or toll for Route 422. The Commissioners took no action and agreed to take the matter under advisement until the full Board was present to discuss the issue.

The following information was included in the Commissioners' packets:

1. Memo to Board of Commissioners. Re: Vacant Properties List.
2. Memo to Jennifer Marsteller from Michele Christman. Re: Questions.
3. Email to PSATC Manager/Secretaries. Re: Cancer Presumption Bill – HB 1231.
4. Letter to Rodney Hawthorne from Comcast regarding lowering the HD monthly equipment rental fee.

SUBDIVISION AND LAND DEVELOPMENT:

Resolution No. 869—Not discussed at this meeting.

OLD BUSINESS:

Diesel Fuel Bids – Mr. Hawthorne reported that sealed bids submitted for bulk diesel fuel were opened and read aloud at 2:00 p.m. on October 4, 2010. Bid results are as follows:

Contractor	Bulk price per gallon at 4:00 P.M. on October 1, 2010	Discount
Penn Petroleum T/A William R. Gift	\$2.505 per gallon	-0-
Automotive Service, Inc.	\$2.522 per gallon	-0-
Inergy Propane, LLC DBA Farm and Home Oil Company	\$2.7630 per gallon	-0-
Isobunkers/Atlantic Coast Energy	\$2.79 ⁹ per gallon	-0-
Price is subject to an Escalator and/or De-escalator Clause to be determined by the market price on the day of delivery.		

Commissioner McGroarty made a motion to accept the low bid for bulk diesel fuel, submitted by Penn Petroleum T/A William R. Gift, in the amount of \$2.505 per gallon, subject to the Solicitor's review. Commissioner Kaiser seconded the motion and it was unanimously approved. Vote was 3-0 in favor.

Mr. Wolfgang asked how the new bid compared with the current year's bid price. Mr. Hawthorne will provide this information to Mr. Wolfgang.

NEW BUSINESS: None.

RESOLUTIONS AND ORDINANCES:

Resolution No. 871—See Appointment of Entry Level Police Officer.

Warrant—Warrant No. 781 for September 2010 was distributed via email for the Commissioner review.

COMMISSIONERS COMMENTS:

Commissioner Kaiser had no comments.

Commissioner McGroarty congratulated and welcomed Officer Kenney to Lower Pottsgrove Township.

Commissioner Phillips also welcomed Officer Kenney and commented that he was very impressed with PennDOT's work on the E. High Street Bridge Project.

MANAGER'S COMMENTS:

Firefighter Cancer Presumption Legislation—Mr. Hawthorne requested authorization to send a letter to Senator Rafferty and Rep. Quigley expressing the Township's opposition to the Cancer Presumption Bill, an unfunded mandate. Commissioner Kaiser made a motion to authorize Mr. Hawthorne to send the letters. Commissioner McGroarty seconded the motion and it was unanimously approved. Vote was 3-0 in favor.

There being no further business, the meeting was adjourned at 7:30 p.m.

Next meeting will be held on Thursday, October 21, 2010 at 7:00 p.m.

Respectfully submitted,



Michele M. Cappelletti
Township Secretary