



**WEST POTTS GROVE TOWNSHIP
BOARD MEETING
JUNE 2, 2021
7:00 P.M.**

The regular monthly meeting of the Board of Commissioners was called to order by the Board President; Steve Miller.

Roll Call

Board members present were Commissioners Miller, Valentine, Palladino, La Rosa and Green. Also present were Township Manager; Scott Hutt, Township Secretary; Joanne Herb, Township Solicitor; Jamie Ottaviano and Officer in Charge; Tim Roeder.

Minutes

President Miller noted; in the Roll Call section of the previous Minutes, Officer in Charge; Tim Roeder was omitted from the list and it will need to be amended.

A motion by Commissioner La Rosa, seconded by Commissioner Green to accept the Minutes of the previous meeting, amending the Roll Call section. Roll Call: Palladino; yes, Valentine; yes, La Rosa; yes, Green; yes, Miller; yes.

Financial Report

A motion by Commissioner Green, seconded by Commissioner La Rosa to accept the Financial Report as presented. Roll Call: Palladino; yes, Valentine; yes, La Rosa; yes, Green; yes, Miller; yes.

Payment of Bills

A motion by Commissioner Green, seconded by Commissioner Valentine to pay all bills as presented; *General Fund*; \$82,578.50, *Sewer Fund*; \$5,208.53 and \$14,747.75 for the *Grosstown Road Project* Fund. The total of all funds was \$102,534.78. Roll Call: Palladino; yes, Valentine; yes, La Rosa; yes, Green; yes, Miller; yes.

Citizen Comments on Agenda Items

There were none.

COMMITTEE REPORTS

MR. PALLADINO; COG, CODE ENFORCEMENT, PUBLIC WORKS

Code Enforcement- May 2021

Code Calls – 2	Permits Issued - 9
Code Inspections – 2	Hearings – 0
Code Complaints – 2	Complaints Resolved – 2
Rental Inspections – 1 Unit	Rental Permits – 1
Rental Registrations – 1	Notice of Violations – 0
Code Notices – 0	Property’s Posted – 1
Permit Inspections – 17	Warrants Served – 0
Site Inspections – 0	Completed Permits – 7

Rental Registration Fees - \$	75.00
Building Permit Fees - \$	2,589.50
Construction Costs - \$	62,360.00

MR. VALENTINE; RECREATION, TOWN WATCH, REGIONAL RECREATION

Recreation

Commissioner Valentine commented; Pottsgrove Rec is asking to use the pavilion and field out back, but I don’t have dates. Mr. Hutt noted; I have the information on that.

MR. GREEN; EMERGENCY MANAGEMENT, RECYCLING, FINANCE

Recycling

Commissioner Green commented; we still have not received last months, or the previous months report. The Township Manager contacted them to try to get the reports and we are still waiting to hear back. I hope that by the July meeting I will have all of them.

Finance

Commissioner Green commented; thanks to the Grosstown Road project and the work that’s been done, we will be getting rid of the big blue pump out front and will be saving ourselves \$3,000 a month.

MR. LA ROSA; REGIONAL PLANNING, ZONING, PLANNING COMMISSION

There were no reports.

MR. MILLER; POLICE, CIVIL SERVICE, FIRE

Fire

For the month of May, there were 17 calls in Montgomery County; 8 in West Pottsgrove, 7 in the Pottstown Borough, 1 in Upper Pottsgrove and 1 in Lower Pottsgrove. There was 9 in Berks County; 6 in Douglass Township, 1 in Birdsboro, 1 in Colebrookdale and 1 in Amity Township. There was also 1 call in North Coventry Township.

Fire - Continued

There was 103 personnel who volunteered their time for a total of 60.9 hours.

Civil Service

President Miller noted; we are giving a Civil Service Exam for the hiring of a new Police Officer. There are two other people on the Board of the Civil Service Commission with me. One of those individuals is Roy Wagner. During the preparation for the exam, I contacted Mr. Wagner several times, left several messages for him to call back, and messages saying it was extremely important for him to call me back; and I never heard anything from Mr. Wagner at that juncture. Subsequently, a few weeks ago I contacted Mr. Wagner and left a message noting; since I haven't heard from him, I asked if he was still interested in serving on the Civil Service Commission and to please contact me so I would know if he's interested because we have some things coming up. But, if he was no longer interested, or could no longer serve for whatever reason; to please contact the Township to put a Letter of Resignation in. Mr. Miller continued; he did not do either one, and it's been over a month since I called initially and got no response. What I would like to do is remove Mr. Wagner from the Civil Service Commission, because we have some upcoming things that we need to have everyone present, and replace him. I did speak to someone that is interested in the position. I would need to have a motion to remove Mr. Wagner, and if I get that, I will then give you the name of the replacement.

A motion by Commissioner La Rosa, seconded by Commissioner Valentine to approve the removal of Mr. Wagner from the Civil Service Commission and replace him with Tara Cifelli. Roll Call: Palladino; yes, Valentine; yes, La Rosa; yes, Green; yes, Miller; yes.

President Miller addressed Officer in Charge; Tim Roeder, with regards to the discussion last meeting, on the truck traffic on Constitution and asked where we stood on that. Officer Roeder stated; I believe that was handled the next day after the meeting. The Township Manager made contact with the company doing the construction and I conducted a vehicle stop of one of the trucks on Constitution, to inform him that he would have to continue his route on Grosstown Road. There were no problems or other reports on that.

Police

Officer in Charge; Tim Roeder's Report

Total Calls – (May) – 375
Total Citations – 15
 Traffic – 12
 Non-Traffic – 3
 Traffic warnings – 14
Assist Ambulance – 30
Assist PD -15
Assist Other Agencies – 1
Crimes – 12
Investigation – 40

Juvenile Report – May

Total Juvenile Calls – 14
Total Juvenile Arrests - 0
Parent/Juvenile Conferences - 2
Child Abuse – 4
Referrals to Other Agencies Non-Arrest - 1

Office in Charge; Tim Roeder's Report – Continued

Mileage – 3,319

Monthly Codes Report – May

Citations – 0

Abandoned Vehicles – 2

Other Code Violations – 8

Abandoned Vehicle Report – May

Vehicles Acted On – 2

Vehicles Removed From Roadway – 2

Vehicles Tagged Abandoned – 2

MANAGER'S REPORT

- The Township Administrative Office received 263 calls this past month.

Public Works:

- we are currently working on obtaining a few quotes for the salt shed roof replacement.
- last year we had to postpone our roadway crack sealing, due to budget restrictions. We will move forward with this project in the fall. Liquid Fuels will be utilized for the funding.
- the “No Outlet” sign at Roberts Drive has been installed.

Police:

- the deadline for applications for our entry-level Police Officer exam is June 18, at 4:00 p.m.
- as Mr. Miller stated; revisions to our Physical Agility Test Standards are being presented to our Civil Service Commission to get on the level with current practices.

COVID Restrictions:

- Memorial Day marked honoring those who lost their lives in the service of this country, and it also marked the end of COVID capacity and social distancing restrictions. We are all excited to be on the path for a return to normalcy.

Property Maintenance

- this is a general reminder to our residents that property maintenance is something the Township takes very seriously. Please be mindful of routine summer maintenance, grass cutting and things of that nature. If you receive a Notice of Violation for this, you will have 5 days to correct the issue. If this is not obeyed; you will receive a Citation, the property will be maintained and you will be invoiced for those services.

Township Website

- we are continuing to have the poll open on the Township's website to vote for the color of our TREX bench that was previously awarded to the Township for reaching its recyclable plastic goal. The poll will remain open until the middle of July.

Additional Sanitary Sewer/Municipal Projects

- School Lane – the County has approved us to keep our Grant while withdrawing the sanitary sewer components of the project. We will still proceed with the CDBG funding to complete the Roadway and Storm Water Improvements.

- Quinter Street – our Engineers have indicated the County Planning Commission has imposed a 45-60 day delay for us to move forward with this project due to HUD requirements. CDBG gets funding from HUD, so they are allowed to dictate certain things. This 45-60 day delay is to conduct an environmental review, because we are increasing the pipe size.

Conclusion – even with being forced to abide by a 45-60 day delay, we can complete the projects simultaneously and have temporary paving done on the roads. Early Spring 2022 we could have the final paving done. Even though this is not ideal, I believe a temporary paving on School Lane would be a huge improvement, as compared to what is out there.

SOLICITOR'S REPORT

The following is my report of the tasks that I performed as Solicitor for West Pottsgrove Township since the Board of Commissioner last, regularly scheduled meeting on May 5, 2021, and up to and including June 2, 2021:

Solicitor Ottaviano noted; looking at the Agenda, I see one item under Old Business and one under New Business, so I will defer to discuss those items at that time.

1. Review materials from Insurance Adjuster, re: Fire Escrow for 516 W. Vine Street.
2. Prepare Draft of Use and Occupancy Ordinance.
3. Review Verizon renewal notice.
4. Draft letter to Terry at CDBG confirming Township is responsible for expenses for projects and not the dissolved Municipal Authority.
5. Review Portnoff Law Contract, Resolution and Ordinance.
6. Review proposed Senate Bill, re: Transparency in the permitting process.
7. Review Docket for Lien against 122 Lemon Street (Warnell).

OLD BUSINESS

Portnoff Law Associates

Mr. Hutt reported; at our May Workshop Meeting we had Kevin Buraks, from Portnoff Law Associates give a presentation on what retaining this firm could do as far as collecting outstanding debts. Tonight we are presenting to the Board, copies of a Fee Shifting Ordinance and the Tax Claim Bureau Resolution, in addition to the contract with the Township for services. Upon further review, Property Maintenance/Abatement of Nuisance Claims are collectible under the MCTLA. We are also looking into whether Rental Inspection Fees fall under this fee-shifting umbrella. This contract with Portnoff would expire on December 31, 2023.

Solicitor Ottaviano further commented; I have reviewed the documents that Portnoff provided to Scott, who forwarded them to me. If this Board should choose to move forward with Portnoff there would be three documents the Board would have to take into consideration; a Board Resolution that the Board would have to adopt to direct Montgomery County Tax Claim Bureau to not collect any delinquent Real Estate Taxes, which would put the Tax Claim Bureau on notice that we would be switching from them to Portnoff.

The other would be a new Ordinance that Portnoff is requiring us to advertise and adopt. Included in that Ordinance is the fee structure that Portnoff would be charging, as well as outlining some collection procedures, which follow PA Laws. The last would be the Agreement itself, which Scott has mentioned would be for approximately 2 1/2 years, expiring on December 31, 2023. This Agreement will also outline the fee structure. Solicitor Ottaviano stated; I do want this Board to understand; I know there have been some mixed signals from the gentleman that was here last month; Portnoff will charge the Township for their tasks, which per PA Law, that charge will be shifted to the other party/resident. Whether or not the Township actually recovers that fee is dependent or not on whether or not that resident actually satisfies that lien. Solicitor Ottaviano noted; there was a person that was transferring his property and carried a lien since 2009, which means the Township has not collected on that however; interest does accrue, as well as any fees this Township would pay Portnoff.

Commissioner Green commented; so the fees they initially charge us; how do we collect them. Solicitor Ottaviano stated; the way I read the agreement is we will pay Portnoff and then recovery of that is when it's satisfied by the resident. Commissioner Green stated; I'm looking at this fee schedule and it's quite a bit of money. Vice President Palladino noted; look back at the Grainger property; how much money did we lose. Commissioner Valentine asked; say the bank holds the note; they get the money first and we still might not get our money, correct? Solicitor Ottaviano stated; correct, adding; the taxpayer has a few outs, including bankruptcy and that doesn't mean they will automatically pay. I also want this Board to understand, if you decide to not go with Portnoff, it doesn't mean that work doesn't get completed, adding; since I've been Solicitor and Solicitor's before me, have completed this work on behalf of the Township. All of the fees are shifted to the delinquent taxpayer, but the question then becomes, whether you will recover it.

Commissioner Green made a motion to not proceed with the offer by Portnoff, seconded by Vice President Palladino. Roll Call: Palladino; yes, Valentine; yes, La Rosa; yes, Green; yes, Miller; yes.

Update on Grosstown Road Sanitary Sewer Project

Mr. Hutt reported; our flow reports came back very positive over the last weekend with the multiple rain events occurring during that period. We are now in the process, as Commissioner Green mentioned, of removing the secondary pump outside of the Pump Station. We are awaiting costs for the ADA Ramps prior to the final paving. As discussed; we are not to exceed \$20,000, and Liquid Fuel will be used for funding. We need the ramps installed before that is complete. The Township also recently reached out to PECO regarding the installation of a new pole outside the Township building, due to its poor condition and monies being spent on ADA Ramps at that location. They are looking into the issue. We are still reviewing the main line videos and awaiting lateral videos.

Update on Acorn Way and Edgewood Drive Sanitary Sewer Project

Mr. Hutt reported; we are currently scheduling pressure tests, vacuum tests and flushing the system.

NEW BUSINESS

Use & Occupancy Ordinance

Solicitor Ottaviano stated; I provided a Draft Ordinance for the Township to implement procedures for reviewing applications for Use and Occupancy permits. This is certainly not something new within the Municipality and our area. The purpose for the Ordinance is to be sure properties within the Township are code compliant. What would trigger that would be a sale of a property, or if it is a rental; the lease of the property to another tenant. The burden would be on the seller or landlord to apply to this Township within approximately 30 days, having codes go out and make sure the property is compliant. If the property is compliant, then the Use and Occupancy Certificate would be issued and we have no issues. If the property is not compliant, there would be a list provided to the seller to bring the property up to code prior to the sale.

This Ordinance is as straight and forward as I could make it, which I figured would be the best, considering the Township does not have any Ordinance currently, for Use and Occupancy. If this Board agrees, and I apologize for the formatting errors, which have been addressed and corrected, if the Board would like to move forward, I would need a vote get the Ordinance advertised this for adoption at the Workshop Meeting. In addition to that, Scott and I would be working with our Code Enforcement and possibly draft an application. Once this Ordinance is adopted, we will have to come up with a Resolution as far as a fee structure for the application. Chris Galloway, Public Works Director asked if there was a time frame to get a rental inspected. Solicitor Ottaviano stated; yes. You have to have something that triggers it and the burden would be on the landlord to update the Township.

A motion by Commissioner Green, seconded by Vice President Palladino to approve proceeding with the advertisement of this Ordinance. Roll Call: Palladino; yes, Valentine; yes, La Rosa; yes, Green; yes, Miller; yes.

Purchase of 2021 Ford Explorer

Mr. Hutt stated; we are looking for approval to purchase a new 2021 Ford Explorer, in the amount of \$30,800. We will then coordinate with TRM for interior lights and radio installation costs. This vehicle will be utilized within our Police Department for the new Chief of Police. For now, further discussion regarding the hire of a new Chief will be regarded as personnel and take place during Executive Session.

A motion by Vice President Palladino, seconded by Commissioner Valentine to approve the purchase of a new 2021 Ford Explorer in the amount of \$30,800, for the new Chief of Police. Roll Call: Palladino; yes, Valentine; yes, La Rosa; yes, Green; yes, Miller; yes.

CITIZEN'S COMMENTS

There was none.

CORRESPONDENCE

Mr. Hutt noted; on May 24, we received a letter from the leadership of the Pottsgrove Future Falcons Organization asking for a donation from West Pottsgrove Township. The organization is quickly growing in registration, and like many others, was hit hard by COVID. Per the leagues officials, over 65% of the participants reside in West Pottsgrove Township. I would suggest a donation in the amount of \$1,000.00.

A motion by Vice President Palladino, seconded by Commissioner La Rosa to approve the \$1,000.00 donation to the Pottsgrove Future Falcons Organization. Roll Call: Palladino; yes, Valentine; yes, La Rosa; yes, Green; yes, Miller; yes.

Pottsgrove Summer Playground

Mr. Hutt reported; we previously gave permission for use of the Township facilities for the Summer Playground Organization. They have now requested to expand those dates to include June 24, 25 and 26, from 10 am to 4 pm. It is expected that it would be approximately 10 people; staff and children. We have no conflicts with previously scheduled events at the pavilion.

A motion by Commissioner Green, seconded by Commissioner Valentine to approve the Summer Playground Organization use of the Township facilities, extending the dates as mentioned above. Roll Call: Palladino; yes, Valentine; yes, La Rosa; yes, Green; yes, Miller; yes.

St. Gabe's Lodge

Mr. Hutt reported; St Gabe's has requested permission to hold their car show on June 20, from 9 am to 3 pm. This of course, would require us to shut down those blocks surrounding St. Gabe's on Jefferson, Monroe and Fairview. I would suggest shutting this down the night before, so people are not parked on the streets.

A motion by Commissioner La Rosa, seconded by Commissioner Green to approve St. Gabe's hold their car show on June 20, 2021, as well as shutting down the blocks mentioned above. Roll Call: Palladino; yes, Valentine; yes, La Rosa; yes, Green; yes, Miller; yes.

ADJOURNMENT

There being no further business, a motion by Commissioner Green, seconded by Commissioner La Rosa to adjourn the monthly Board Meeting. President Miller stated; the Board is now going into Executive Session. No official action or deliberation will occur during this Executive Session; instead, it will be for informational purposes and to discuss personnel issues only. Roll Call: Palladino; yes, Valentine; yes, La Rosa; yes, Green; yes, Miller; yes. The Board Meeting adjourned at 7:28 p.m.

Respectfully Yours,

*Joanne Herb
Township Secretary*

