

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

August 18, 2008

The meeting of the Board of Commissioners was held on Monday, August 18, 2008, at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Commissioners DeLena, Dolan, Noll, Spaide and Taylor present. Also present were Township Solicitor Charles D. Garner, Jr., Township Manager Jack P. Layne, Jr., Township Engineer John Theisen, Public Works Director Frank Quinter and Township Secretary Cynthia Saylor. Mr. Taylor called the meeting to order at 7:00 P.M. There were 12 people and a Mercury Reporter present in the audience.

MOMENT OF SILENCE - Mr. Taylor requested a moment of silence in honor of the men and women who have served and are currently serving our country in the armed forces.

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

PUBLIC COMMENTS:

CARL SPECHT - 150 Primrose Lane - Expressed his concern that the Township never filed a formal complaint to the PUC with regards to the recent rate increase for public water. Mr. Layne explained that he attended the hearing and provided testimony on behalf of the Township. Commissioner Noll reported he attended the 7:00 P.M. hearing in order to gather information; however he did not testify.

ROBERT SLOSS - 2097 Needhammer Road - Expressed his concern with regards to the fire hydrants in the Maugers Mill Estates Development and the increase in hydrant rental fees from Superior Water. Mr. Sloss noted that the Township pays a higher monthly fee to Superior Water than the quarterly fee paid to the Borough of Pottstown for hydrant rental charges.

REPORTS:

EMERGENCY SERVICES - FIRE REPORT - Commissioner Noll reported the Fire Committee will hold its monthly meeting on Thursday, August 21, 2008 at 7:00 P.M. **POLICE REPORT** - Commissioner Noll reported a copy of the monthly Police Report will be posted on the bulletin board.

PUBLIC WORKS REPORT - Commissioner Spaide reported the Highway Department has been patching potholes throughout the Township and noted that paving on Farmington Avenue and Juniper Street will take place this week. She further reported a copy of the monthly Public Works Report will be posted on the bulletin board.

ROBERT SLOSS - 2097 Needhammer Road - Expressed his concern regarding the lack of speed limit signs along Orlando Road.

CHRIS MANOS - 1406 Kummerer Road - Referenced the intersection of Kummerer Road and Chestnut Grove Road, in the Summer Grove Development, and questioned whether reflective mirrors could be installed in order to see on coming traffic at the curve. Mr. Manos expressed his concern regarding speeding traffic along Chestnut Grove Road.

DAN COLFER - 1412 Kummerer Road - Questioned what the Township can do in order to regulate speeders along Chestnut Grove Road. Commissioner Spaide reported that the Police Department was out with vascar conducting a speed check earlier today.

ADMINISTRATION REPORT - Commissioner DeLena expressed her thanks and appreciation to the “girls” for planting the flowers at the entrance way to the administrative office.

TOWNSHIP ENGINEER’S REPORT - Township Engineer John Theisen reported that he reviewed plans recently submitted for the Althouse and Bachman Subdivisions. Mr. Theisen stated a copy of the monthly report will be posted on the bulletin board.

When **DIANA UPDEGROVE, 1404 Farmington Avenue**, questioned whether a new plan was submitted for the Bachman tract; Attorney Garner stated the plan was “cleaned up” in order to comply with the comments from the Township Engineer.

TOWNSHIP MANAGER’S REPORT - Mr. Layne reported he submitted letters to the Pennsylvania Department of Community and Economic Development and the Pennsylvania Department of Environmental Protection requesting funding support for sewer and water projects as authorized by Senate Bill No. 2; assisted in coordinating efforts to acquire the Lamb property to be preserved as open space, submitted request to Montgomery County Lands Trust for Montgomery County Green Futures Achievement Awards Program and coordinated efforts to select a Police Chief.

MONTHLY FINANCIAL REPORTS - Mr. Layne reported that Dallas Data is in the process of working with Township Staff on the 2008 Mid-Year Financial Review for all Funds, the establishment of the new Accounting Procedure for the Sewer and Open Space Funds, the implementation of internal Payroll System and the review of all Escrow Accounts. Mr. Layne reported July’s Financial Reports will be available at the September 2, 2008 meeting and August’s Financial Reports will be available at the September 15, 2008 meeting.

NEW BUSINESS:

APPROVAL OF AGREEMENT FOR SCHOOL RESOURCE OFFICER PROGRAM FOR 2008 AND 2009 - Commissioner Noll reported that Tim Wolf is the School Resource Officer and he is very happy in his position and noted that he is well received by the parents and students. A motion by Noll, seconded by Spaide, to approve the Agreement for the School Resource Officer Program for 2008 and 2009. All aye votes.

REQUEST FOR SUMMER GROVE PHASE I DEDICATION - Attorney Garner reported the Developers of the Summer Grove Development have completed the public improvements to Summer Grove Lane and Kummerer Road and are requesting dedication of those roads to the Township. He further reported the roads would be subject to a maintenance financial security for the next eighteen (18) months.

DAN COLFER - 1412 Kummerer Road - Questioned whether there is any type of clause or agreement in place in case of any damage done to the roads and noted that there are still nine or ten sites that need to be built. Attorney Garner stated the Developer is responsible for putting the road back to its original condition should damage occur and the Township is holding \$252,000 as financial security.

COMMISSIONER NOLL - Expressed his concern regarding the unfinished sidewalks and the placement of speed limit signs within the Summer Grove Development. Mr. Noll questioned who is responsible for installing the speed limit and stop signs. Mr. Theisen stated it would be the Developer's responsibility.

ROBERT SLOSS - 2097 Needhammer Road - Questioned who would assume the liability in the event someone gets hurt because the project (Summer Grove) isn't completed. Attorney Garner addressed Mr. Sloss and stated if he was referring to the condition of the roads in the Summer Grove Development the Township would be responsible; however, the Township is not assuming responsibility for the entire project.

GILBERT DUNCAN - 72 Hanover Drive - Questioned why the sidewalks can't be finished. Commissioner Taylor reiterated the fact that the Township is only taking dedication of the roads.

RESOLUTION # 537 - A motion by Spaide, seconded by Noll, to accept dedication of Kummerer Road and Summer Grove Lane, as recommended by LTL Consultants, subject to the establishing or reducing the appropriate construction escrow and also contingent upon the Developer installing the required speed limit signs and other improvements deemed appropriate by the Township Engineer. All aye votes.

REQUEST FOR CODDINGTON VIEW PHASE III ESCROW RELEASE #1 - A motion by Spaide, seconded by DeLena, to approve the Escrow Release requested by T.H. Properties in the amount of \$124,060.34 for erosion control, sanitary sewers, storm sewers, water lines, miscellaneous and inspection fees as recommended by the Township Engineer. All aye votes.

DISCUSSION AND POSSIBLE APPROVAL OF NORTH STATE ROAD TURNBACK PROPOSAL - RESOLUTION #536 - A motion by Spaide, seconded by DeLena, to enact Resolution #536 subject to a Highway Transfer Agreement acceptable to the Township. All aye votes.

CARL SPECHT - 150 Primrose Lane - Expressed his concern regarding the impact on Heather Place and Primrose Lane and noted all the traffic will be traveling through a residential area.

REQUEST FOR AUTHORIZATION TO APPROVE BID FOR THE CONSTRUCTION OF THE GOOSE RUN PEDESTRIAN TRAIL - A motion by DeLena, seconded by Dolan, to accept the low bid of \$59,180.00 submitted by James R. Kenney Excavating & Paving for the construction of the Goose Run Pedestrian Trail. All aye votes.

REQUEST TO APPROVE REVISED MUNICIPAL INDUSTRIAL PRETREATMENT REGULATIONS - Attorney Garner reported the Environmental Protection Agency has developed streamlining regulations to enhance the current Municipal Industrial Pretreatment regulations. He further reported these regulations are to be incorporated into the Borough of Pottstown sewer ordinance as well as the surrounding townships. A motion by Noll, seconded by Dolan, to authorize advertisement of the proposed ordinance. All aye votes.

OLD BUSINESS:

#4-07 PASCAL ANNEXATION PLAN PRELIMINARY PLAN APPROVAL - RESOLUTION #538 - Commissioner Taylor reported the Planning Commission reviewed the revised preliminary plans and recommends approval of the waiver requests as outlined in the letter dated May 12, 2008 from Bursich Associates as well as approval of the plans dated June 4, 2008 subject to the satisfactory completion of all the outstanding issues outlined in the Engineer's letter of June 16, 2008 and the Montgomery County Planning Commission's letter dated July 10, 2008. After discussion, a motion by Dolan, seconded by DeLena, to approve Resolution #538. All aye votes.

DIANA UPDEGROVE - 1404 Farmington Avenue - Expressed her concern regarding the shared driveway. Mrs. Updegrove suggested the Township require deed restrictions for further subdivision and require the easement agreement for the shared driveway to be recorded as part of the deed.

AUTHORIZATION TO EXECUTE THE MALMBERG AND SLADE PROPERTY AGREEMENTS - A motion by Dolan, seconded by Spaide, to authorize the Township Manager to execute the Malmberg and Slade Property Agreements. All aye votes.

OTHER PUBLIC COMMENT:

CHRIS MANOS - 1406 Kummerer Road - Expressed concern regarding the projected increase in vehicular traffic along Pineford Road, Chestnut Grove Road and State Street when the PAL ball fields and the Upland Square Shopping Center are complete.

DAN COLFER - 1412 Kummerer Road - Questioned whether the Township would consider placing "speed bumps" within the Summer Grove Development. It was agreed that the Township Manager would discuss the Township's traffic calming policy with Mr. Colfer.

REG LEISTER - 1693 Farmington Avenue - Requested an update with regards to the hiring of a new Police Chief. Commissioner Taylor reported the Board is still in the process of interviewing candidates. He further reported that offers of employment have been made; however they were not accepted.

GILBERT DUNCAN - 72 Hanover Drive - Stated he hoped the Board was not considering purchasing a car for the new Police Chief. Commissioner Taylor noted that transportation is definitely an issue in acquiring qualified personnel.

REG LEISTER - 1693 Farmington Avenue - Expressed his concern with regards to reflectors throughout the back roads of the Township being damaged.

PAYMENT OF BILLS - August 18, 2008 - A motion by DeLena, seconded by Spaide, to approve the Bill List dated August 18, 2008, for General Fund in the amount of \$184,209.88; Fire Fund in the amount of \$2,865.42; Sewer Fund in the amount of \$58,752.90; State fund in the amount of \$3,125.20; Capital Fund in the amount of \$29,040.18; Open Space Fund in the amount of \$8,157.53 and Escrow Fund in the amount of \$4,267.06. Total Disbursements - \$184,209.88. All aye votes.

COMMISSIONER NOLL - Questioned the invoice for a laptop replacement. After a brief discussion, it was agreed that since the laptop was for the Police Department the expenditure should be charged against their budget.

ROBERT SLOSS - 2097 Needhammer Road - Questioned invoices from Dallas Data Systems, Superior Water for hydrant rental fees and LTL Consultants. Mr. Sloss questioned how much longer the Township plans on keeping Dallas Data Systems on board. Mr. Layne explained last month's invoice was high due to the implementation of the new payroll system.

GILBERT DUNCAN - 72 Hanover Drive - Expressed concern regarding residents living on a "fixed income."

CARL SPECHT - 150 Primrose Lane - Expressed his concern regarding residents living on social security and questioned how these people will survive.

GILBERT DUNCAN - 72 Hanover Drive - Questioned the crime rate within the Township.

APPROVAL OF MINUTES - July 21, 2008 - A motion by Spaide, seconded by DeLena, to approve the minutes of the July 21, 2008, meeting as presented. All aye votes.

EXECUTIVE SESSION - At 8:32 P.M. Commissioner Taylor announced there would be an Executive Session to discuss legal, personnel and real estate matters. The meeting reconvened at 10:06 P.M. with no decisions being made.

ADJOURNMENT - There being no further business, a motion by Spaide, seconded by Noll, to adjourn the meeting at 10:08 P.M. All aye votes.

Respectfully submitted,

Cynthia H. Saylor,
Township Secretary