

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

September 20, 2010

A meeting of the Board of Commissioners was held on Monday, September 20, 2010, at the Upper Pottsgrove Township Administrative Office, 1409 Farmington Avenue, with Commissioners Dolan, Miller, Noll, Spaide and Taylor present. Also present were Police Chief William A. Moffett, Township Manager Jack P. Layne, Jr. and Township Secretary Cynthia Saylor. Mr. Taylor called the meeting to order at 7:00 P.M. There were 5 people present in the audience. Solicitor Charles Garner was unable to attend the meeting.

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 COMMENT:

RON HOSTETLER - 598 Evans Road - Expressed his concern and stated he is very unhappy with the restoration of his yard as a result of the Farmington Avenue sewer project. Mr. Hostetler questioned why his yard was seeded when the contractor used sod to restore a neighboring property. Commissioner Taylor stated there has to be a follow up with regards to those areas that are not satisfactory and noted that the project is still under contract.

EMERGENCY SERVICES REPORT - Commissioner Noll read the monthly Police Report and noted that a copy would be posted on the bulletin board. Mr. Noll stated the Fire Company Auxiliary will be supplying the food for this year's Community Day.

PLANNING AND ZONING REPORT - Commissioner Taylor reported that the Planning Commission met this month and discussed the proposed regulations for LED/Digital signs, the proposed definitions and regulations for projected light signs and murals and the proposed revisions to the Route 100 Overlay District.

PUBLIC WORKS REPORT - Commissioner Spaide reported that the base repair on Maugers Mill Road is complete; however PennDot did not have sufficient funding to do the final coat. Mr. Layne noted that he spoke with a representative from PennDot and was told that there was just enough money for the base coat in this year's budget. After discussion, it was agreed that the Manager would address a letter to Senator Rafferty and PennDot noting the Township's dissatisfaction with the condition of the road. Commissioner Taylor noted that Maugers Mill Road is not a Township Road; however not all of our residents are aware of that; consequently we are hearing their complaints. Commissioner Spaide reported that the neighbors have petitioned PennDot for the installation of a "NO TURN ON RED" sign at the Farmington Avenue & Maugers Mill Road intersection. Commissioner Miller complimented the Highway Crew for patching North Hanover Street and Fox Run. Commissioner Noll questioned the work that was done today on Farmington Avenue across from the entrance to Coddington View. Mr. Layne explained it was necessary in order to make a sewer connection at the Geiger residence on Pennsylvania Avenue.

PARKS, RECREATION AND OPEN SPACE - Mr. Layne reported the Parks, Recreation and Open Space Committee met and discussed the upcoming Community Day as well as the possibility of the construction of a pavilion and the demolition of the old building at Sunset Park. Mr. Layne reported the Township did receive a quote of \$1,850 for the demolition of the building from Maynard's Excavating. Commissioner Miller noted the cost of the installation of a pavilion is approximately \$9,000. After a brief discussion, a motion by Dolan, seconded by Spaide, to move forward with the demolition of the old building. All aye votes.

SPECIAL TOWNSHIP PROJECTS - Commissioner Dolan stated he would be talking to Representative Quigley with regards to the use of open space funding for park maintenance as well as the acquisition of open space.

TOWNSHIP ENGINEER'S REPORT - A copy of the monthly Engineer's Report will be posted on the bulletin board.

TOWNSHIP SOLICITOR'S REPORT - Commissioner Taylor read the monthly Solicitor's Report as follows: **Amendments to Sign Ordinance** - Following a meeting with LTL, Jack Layne and Commissioner Miller, we are working to modify and amend the Township's existing Sign Ordinance. This includes Article 16, Signs, which is part of the Township Zoning Ordinance, as well as Chapter 283, Signs and Billboards, which primarily is administrative in nature. We are targeting October 21st as a date to have a final working draft completed. Thereafter, the revised Ordinance will be presented to the Board for their review. In light of the potential recommended changes to the Sign Ordinance for signs, murals and LED signs, it would be my suggestion that we incorporate any of those changes directly into the Sign Ordinance that we are presently discussing. **Police Contract** - This matter will be discussed in Executive Session. **Liberty Tower Conditional Use Hearing** - I am in the process of advertising and scheduling the Conditional Use Hearing for Liberty Towers for a proposed cell tower for 8:00 P.M. at our meeting scheduled for October 18th.

TOWNSHIP MANAGER - Mr. Layne reported that he attended meetings with developers regarding proposed commercial/retail development in the Township; continued discussions with the Police Department representatives regarding the Police Contract; supported efforts to prepare and submit the required documentation for the H2O and PennVest programs that provided for the receipt of another PennVest payment and the H2O grant funds designated to the Township; attended meeting with Coddington View residents to hear and to address their concerns; assisted in efforts to provide a new cell tower on the Smola property; assisted in efforts to monitor the Regal Oaks Pumping Station and the Farmington Avenue West Phase II Projects; and responded to inquiries and concerns regarding the Single-Hauler Trash Collection and Recycling Contract. Mr. Layne reported that this year's Community Day will be held on Saturday, October 2, 2010 at Heather Place Park from 11:00 AM to 3:00 P.M. and encouraged all residents to attend.

MONTHLY FINANCIAL REPORTS - Copies of the monthly Financial Reports were included in the Board member's mail packets. Mr. Layne reported that as of August 31, 2010, the Township received 66.9% of the budgeted revenue and expended 59.7% of the budgeted expenditures.

NEW BUSINESS:

DISCUSSION AND POSSIBLE ACTION TO APPROVE PROPOSED REVISED REGULATIONS FOR LED/DIGITAL SIGNS - Commissioner Taylor reported the Planning Commission discussed the proposed regulations for LED/Digital Signs and recommends their approval. A motion by Dolan, seconded by Noll, to authorize the Solicitor to prepare the Ordinance and advertise for a public hearing. All aye votes.

DISCUSSION AND POSSIBLE ACTION TO APPROVE PROPOSED DEFINITIONS AND REGULATIONS FOR PROJECTED LIGHT SIGNS AND MURALS - Commissioner Taylor reported the Planning Commission discussed the proposed definitions and regulations for the projected light signs and murals and recommends their approval. A motion by Dolan, seconded by Noll, to authorize the Solicitor to prepare the Ordinance and advertise for a public hearing. All aye votes.

DISCUSSION AND POSSIBLE ACTION TO APPROVE PROPOSED REVISIONS TO THE ROUTE 100 OVERLAY DISTRICT - Commissioner Taylor reported the Planning Commission discussed the proposed revisions to the Route 100 Overlay District and recommends their approval. A motion by Miller, seconded by Spaide, to authorize the Solicitor to prepare the Ordinance and advertise for a public hearing. All aye votes.

DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR AN EXTENSION OF THE PROPOSED LEVENGOOD SUBDIVISION #08-0193-001 FOR AN ADDITIONAL 2 TO 3 YEARS - A motion by Miller, seconded by Noll, to approve the extension request for the Levengood Subdivision until December 31, 2012. All aye votes.

OTHER PUBLIC COMMENT: None.

COMMISSIONERS COMMENTS:

COMMISSIONER DOLAN - Requested that the Manager place a call to Verizon and find out when FIOS will be available in Upper Pottsgrove Township. Mr. Layne stated that he was previously told that the Township should start receiving revenue in 2009. After a brief discussion, it was agreed that the Manager would place another call to Verizon regarding the matter.

COMMISSIONER MILLER - Addressed Chief Moffett and requested clarification with regards to several items depicted in his monthly report. Commissioner Miller referenced the Zoning Officer's monthly report and stated he would like to add two items to the September summary. With regards to State Street & Wilson Street; Mr. Miller reported the property owner has been contacted; however no action has been taken at this time. Mr. Layne stated he would look into the matter. Commissioner Miller referenced the cemetery located on North Hanover Street and noted that the current rector was notified of the litter at the gaited entrance and was advised that previous rectors requested that the Township's weed spraying contractor not do so at the cemetery for fear that it would impact and kill the lawn between the curb and the fence. Mr. Miller stated that the current rector wants to change the ruling and would like the curbs sprayed next year. In another matter, Commissioner Miller expressed concern with regards to the extremely dry conditions especially in the wooded areas of the Township. Commissioner Taylor noted that there is a ban on burning in the Township. Mr. Miller requested that this be placed on the Township's web-site.

COMMISSIONER NOLL - Reported that he has received several phone calls with regards to the PAL fields located on Chestnut Grove Road. Commissioner Noll stated he has received complaints with regards to people flying motorized airplanes at the fields; however he added that Officer Crawford did address this matter with the resident. He further stated that he received complaints that they are now "sounding" sirens after every touchdown is scored and questioned whether that could be eliminated. Commissioner Noll requested that the Police Department be more aggressive in monitoring Chestnut Grove Road especially during the evening hours between 5:00 PM - 8:00 PM. Commissioner Noll expressed his concern with regards to the lights and whether they have been inspected by the Township Engineer.

TOWNSHIP MANAGER - Reported that there will be a "roadway clean-up" on Saturday, September 25, 2010 from 10:00 A.M. to 12:30 P.M. Volunteers should report at 9:50 A.M.

PAYMENT OF BILLS - September 20, 2010 - A motion by Dolan, seconded by Noll, to approve the Bill List dated September 20, 2010, for General Fund in the amount of \$72,591.05; Fire Fund in the amount of \$3,771.90; Sewer Fund in the amount of \$2,116.22; Capital Fund in the amount of \$173,192.32; Open Space Fund in the amount of \$12,551.59; Escrow Fund in the amount of \$834.00 and State Fund in the amount of -\$2,758.93. Total Disbursements - \$262,298.15. All aye votes.

APPROVAL OF MINUTES - September 7, 2010 - A motion by Spaide, seconded by Dolan, to approve the minutes of the September 7, 2010 meeting as presented. All aye votes.

EXECUTIVE SESSION - At 8:00 P.M. Commissioner Taylor announced there would be an Executive Session to discuss real estate and personnel matters. The meeting reconvened at 8:18 P.M. with no decisions being made.

ADJOURNMENT - There being no further business, a motion by Spaide, seconded by Miller, to adjourn the meeting at 8:19 P.M. All aye votes.

Respectfully submitted,

Cynthia H. Saylor,
Township Secretary