

A meeting of the Board of Commissioners was held on Tuesday, January 16, 2007, at the Upper Pottsgrove Township Administrative Office, 1409 Farmington Avenue, with Commissioners DeLena, Dolan, Iatesta, Noll and Taylor present. Also present were Township Solicitor Charles D. Garner, Jr., Township Engineer John Theisen, Township Manager Jack P. Layne and Township Secretary Cynthia H. Saylor. The meeting was called to order at 7:30 P.M. by Mr. Taylor. There were 12 people and a Mercury reporter present in the audience. Mr. Sloss advised he was taping the meeting.

MOMENT OF SILENT PRAYER - 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:

ROBERT SLOSS - 2097 Needhammer Road - Expressed concern with regards to a contribution made to Thomas Quigley for the Upper Pottsgrove Open Space Committee by Commissioner Dolan. Commissioner Dolan clarified that "UP for Open Space Committee" is separate from the Upper Pottsgrove Open Space Committee and noted it is a political action committee funded through donations. Mr. Dolan stated he would gladly answer any further questions regarding the matter.

EMERGENCY SERVICES:

FIRE COMMITTEE REPORT - Commissioner Noll reported the Fire Committee met on Monday, January 15, 2007, and ratified the Fire Company By-Laws. Mr. Noll expressed his thanks and appreciation to the members of the Board and Fire Committee for all their hard work.

POLICE REPORT - Commissioner Noll read the monthly Police Report and stated copies of both the Fire Committee Report and Police Report will be posted on the bulletin board. Mr. Noll stated

PUBLIC WORKS REPORT - Commissioner Iatesta read the monthly Highway Report and stated he and the Public Works Director will be implementing a plan for road work. Mr. Iatesta noted a copy of the monthly report will be posted on the bulletin board.

HENRY BEALER - 1382 Farmington Avenue - Reported two large pot holes on Farmington Avenue near Strogus' Flower Shop.

PLANNING COMMISSION REPORT - Commissioner Taylor reported the Planning Commission met and discussed the future Village Commercial and General Commercial Zoning Districts and the waivers requested for the 409 Evans Road project. Mr. Taylor further reported the Regional Planning Commissioner met and discussed the Upland Square Shopping Center.

PARKS, RECREATION & OPEN SPACE - Commissioner Dolan stated the Open Space Committee met and discussed plans for 2007.

ADMINISTRATION REPORT - Commissioner DeLena stated she had nothing to report.

ENGINEER'S REPORT - John Theisen reported the Township received and opened thirteen (13) bids for the Willow Street water project and noted they are currently under review.

ROBERT SLOSS - 2097 Needhammer Road – Addressed the Engineer and requested an update with regards to the Highview II Subdivision. Mr. Theisen reported he met with John Aston and noted additional design work is needed. When Mr. Sloss questioned the Township Solicitor with regards to a statute of limitation; Mr. Garner stated the Developer's Agreement would control the timing of the improvements that are required.

COMMISSIONER IATESTA - Questioned whether anything is being done about the school monuments. Commissioner Taylor stated he is looking into the matter.

TOWNSHIP SOLICITOR'S REPORT - Attorney Garner reported that he received notice that Cellco Partnership has filed an appeal as a result of the Zoning Hearing Board's decision to deny their request for zoning relief. Mr. Garner stated he received a letter from the Developer of the Woodbrook Townhomes with regards to dedication of the Phase I roadways and noted this would be on a future meeting agenda.

ROBERT SLOSS - 2097 Needhammer Road - Requested an update on the drainage issues at the Church of the Latter Day Saints. Mr. Garner stated the Township is in the process of obtaining releases from the property owners.

TOWNSHIP MANAGER'S REPORT - Mr. Layne referenced the storm water issues and noted it is a matter of "follow-up and consistency." Mr. Layne reported new finance software will be installed in the near future which will enable staff to provide "easier to read" financial reports. Mr. Layne stated that he along with the Police Chief and the Public Works Director will attend a meeting regarding the proposed Upland Square Shopping Center.

ROBERT SLOSS - 2097 Needhammer Road - Referenced income of \$200,000 as depicted in the 2007 budget and questioned whether the figure is realistic.

FINANCIAL REPORT - Mr. Layne reported on the monthly cash flow, cash receipts and expenditures for the various township funds.

APPROVAL OF PLUMBING CONTRACT FOR WILLOW STREET AREA - Mr. Theisen reported the Township received thirteen (13) bids for the Willow Street project and noted the low bid was submitted by All Types Construction at a cost of \$178,152. A motion by Iatesta, seconded by Dolan, to award the plumbing contract to All Types Construction, subject to DEP approval and review by the Township Solicitor. All aye votes.

AUTHORIZATION TO APPROVE AMENDMENT TO WATERLINE PROJECT GRANT - A motion by Noll, seconded by DeLena, to have Staff move forward with the amendment to the waterline project grant. All aye votes.

POSSIBLE ACTION ON WAIVERS REQUESTED FOR 409 EVANS ROAD - Commissioner Taylor briefly summarized the request for waivers submitted by Aston Surveyors/Engineers with regards to road width, sidewalks, street lighting and landscaping for the 409 Evans Road project. Mr. Taylor reported the request was discussed by the Upper Pottsgrove Planning Commission and they recommended their approval. Commissioner DeLena expressed her concern with the landscaping waiver and the labeling of trees to “remain” or “to be removed” or “replaced”. After a brief discussion, a motion by Noll, seconded by Iatesta, to approve the waivers requested for the 409 Evans Road project as outlined in the letter dated January 5, 2007 from Aston Surveyors. All aye votes.

FARMINGTON AVENUE ESCROW RELEASE #2 SUBMITTED BY ROUSE CHAMBERLIN - It was the recommendation of LTL Consultants that \$30,338.84 of contingency funds be held until completion of mandrel testing. After a brief discussion, a motion by Dolan, seconded by DeLena, to approve the Farmington Avenue Escrow Release #2 in the amount of \$310,071.90 as recommended by the Township Engineer. All aye votes.

TOWNSHIP BUILDING LOAN - Attorney Garner reported the Township received a letter from Fulton Bank regarding the building loan which was initiated in February of 2002 for repairs to the Township Building/Fire House. He further reported the Bank is offering to the Township an option to convert the variable rate to a fixed rate. A motion by Dolan, seconded by DeLena, to accept the option of establishing a fixed rate for the remaining term of the loan. All aye votes.

PUBLIC COMMENT:

HENRY BEALER - 1386 Farmington Avenue - Requested an update regarding the flag on the cell tower. Commissioner Noll stated a new flag has been ordered. After a brief discussion, a motion by Noll, seconded by Iatesta, to authorize the Solicitor to send a letter to American Tower addressing the lease agreement issues. All aye votes.

PAYMENT OF BILLS - A motion by DeLena, seconded by Iatesta, to approve the Bill List dated January 16, 2007, for General Fund in the amount of \$57,851.28; Fire Fund in the amount of \$7,135.51; Park and Recreation Fund in the amount of \$9.18; Sewer Fund in the amount of \$28,255.75; State Fund in the amount of \$4,771.54; and Capital Fund in the amount of \$110,670.00. Total Expenditures - \$208,693.26. All aye votes.

ROBERT SLOSS - 2097 Needhammer Road - Questioned a \$5,000 payment to the North End Fire Company. Mr. Layne stated the expenditure is the annual payment for the purchase of the fire truck.

APPROVAL OF MINUTES - November 27, 2006 - A motion by DeLena, seconded by Dolan, to approve the minutes of the November 27, 2006, meeting as presented. Aye votes: DeLena, Dolan, Noll and Taylor. Abstain: Iatesta. Motion carried. Mr. Iatesta explained he was not present at the November 27th meeting.

APPROVAL OF MINUTES - December 4, 2006 - A motion by Iatesta, seconded by DeLena, to approve the minutes of the December 4, 2006, meeting as amended. All aye votes.

APPROVAL OF MINUTES - December 18, 2006 - A motion by Iatesta, seconded by Dolan, to approve the minutes of the December 18, 2006, meeting as presented. All aye votes.

APPROVAL OF MINUTES - December 27, 2006 - A motion by Dolan, seconded by DeLena, to approve the minutes of the December 27, 2006, meeting as presented. All aye votes.

APPROVAL OF MINUTES - January 2, 2007 - A motion by Noll, seconded by DeLena, to approve the minutes of the January 2, 2007, meeting as presented. All aye votes.

EXECUTIVE SESSION – At 8:25 P.M. Mr. Taylor reported the Board would be meeting in Executive Session with no decisions being made.

ADJOURNMENT - There being no further business, the meeting adjourned at 9:05 P.M.

Respectfully submitted,

Cynthia H. Saylor
Township Secretary