

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

February 20, 2007

A meeting of the Board of Commissioners was held on Tuesday, February 20, 2007, at the Upper Pottsgrove Administrative Offices, 1409 Farmington Avenue, with Commissioners DeLena, Dolan, Iatesta and Taylor present. Also present were Township Solicitor Charles D. Garner, Jr., Township Manager Jack P. Layne and Township Secretary Cynthia Saylor. There were 12 people present in the audience. Mr. Taylor called the meeting to order at 7:30 P.M. Mr. Sloss advised he was taping 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: There was no public comment.

REPORTS:

EMERGENCY SERVICES - Commissioner Taylor stated a copy of the monthly report would be posted on the bulletin board.

PLANNING & ZONING REPORT - Commissioner Taylor reported the Planning Commission reviewed the sketch plan of a minor subdivision, and the proposed Village Commercial and Commercial Office ordinances.

PUBLIC WORKS REPORT - Commissioner Iatesta reported the Highway Department has inspected the installation of water mains and residential plumbing connections along Farmington Avenue. Water main installation has been completed along Irwin Place, Hanover Drive and Steinmetz Road with work to commence on North State Street within the week. The Public Works Department has responded to five (5) call outs for snow or ice, repaired equipment to be used for spring maintenance, patched potholes, picked up trash deposited on Gilbertsville and Moyer Roads and rearranged the administrative offices and furniture as requested. Mr. Iatesta reported the Annual 2006 Wastewater Load Report, Chapter 94, has been completed and submitted to BCM Engineering for their review prior to being forwarded to DEP. Work continues on the repair of the Farmington Avenue data transfer unit, which is required by the Borough Authority in order to retrieve weekly flow reports, the meter has also been properly calibrated by M & S Services of Valley Forge. Commissioner Iatesta asked what the Township can do regarding the Faggioli property on Commerce Drive and noted this has been an on going problem for the past twelve years. Attorney Garner stated he would research the property file regarding this matter. In response to a concern with regards to the installation of a sign; Mr. Layne stated he would speak to the Zoning Officer.

ROBERT SLOSS - 2097 Needhammer Road - Questioned if anyone from the Public Works Department was a registered plumber and expressed concern that they are performing sewer work without a license. When Commissioner Taylor asked Mr. Sloss if he had a question regarding an item on the bill list he referenced the \$250,000 transfer from the Sewer Fund to the General Fund. Mr. Sloss stated he has been told the transfer is justified due to the fact that one third of the highway crew is supporting the public water and sewer system.

ROBERT SLOSS CONT'D - Commissioner Iatesta explained the Highway employees read the sewer meters make inspections and file the necessary reports with the various agencies. Mr. Layne noted they serve as the "point person" for the Township between the residents and the plumbers with regards to the Farmington Avenue sewer project. Commissioner Taylor clarified the public works employees not only perform work with regards to the plumbing aspect but they also maintain the pumping stations and the entire sewer system.

GILBERT DUNCAN - 72 Hanover Drive - Expressed his concern that the public works employees should not be working "in the hole" and stated they need to be licensed to operate a waste water collection system.

ROBERT SLOSS - 2097 Needhammer Road - Questioned whether the Faggioli property on Commerce Drive had been tested by the DEP for contamination. Commissioner Iatesta stated the property was previously tested and no toxins were ever found.

HENRY BEALER - 1382 Farmington Avenue - Noted several "test wells" have been dug on the Commerce Drive property.

PARKS, RECREATION AND OPEN SPACE REPORTS - Commissioner Dolan provided a brief update with regards to the purchase of the Prince property. Mr. Dolan reported that Natural Lands Trust has performed an analysis of the Township's ordinances on how to best preserve open space and they will be making a presentation within the next several weeks. Commissioner Dolan suggested a possible joint meeting with the members of the Board and the Planning Commission.

ROBERT SLOSS - 2097 Needhammer Road - Questioned whether the sign at Hollenbach Park is covered under any warranty since it was destroyed during the recent ice storm. Mr. Layne reported Tri-County Signs, the company where the signs were purchased, has gone out of business. He further reported the damage has been reported to the Township's insurance carrier. Mr. Sloss suggested removing the rest of the sign from its posts.

ADMINISTRATION REPORT - Commissioner DeLena reported the latest publication of the Township Newsletter was recently mailed and the staff is working with a representative from Dallas Data with regards to the web site. Mrs. DeLena expressed her thanks and appreciation to everyone involved with the recent publication of the Township Newsletter.

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

SOLICITOR'S REPORT - Attorney Garner provided an update regarding the Wolf Run Water Project and noted that out of 270 homes only 8 or 9 property owners declined the installation of public water. Mr. Garner reported the Board will take action later on the agenda on the Willow Street Project Agreement and explained it is a contract between Upper Pottsgrove and the Pottstown Borough Authority. Mr. Garner provided a brief update on the Woodbrook Townhomes with regards to Phase I road dedication and stated there are a few "minor glitches" that still need to be resolved.

SOLICITOR'S REPORT CONT'D - Mr. Garner advised he received a response to his letter from an "in-house" attorney from American Tower and they indicated their willingness to provide a long-term solution to the on going maintenance issues regarding the cell tower.

MANAGER'S REPORT - Mr. Layne reported he along with Administrative Assistant Linda Coleman met with a representative from Dallas Data Systems to begin the process of upgrading the Township's web site. He further reported he met with DEP officials and the Pottstown Borough staff to discuss the status of the Wolf Run Waterline Project. Mr. Layne reported the Emergency Operations Committee will hold an exercise on February 28, 2007 at 1:00 P.M. and invited anyone interested to participate. Mr. Layne thanked the members of the Board for their comments with regards to the Newsletter and stated our goal is to have a publication every quarter.

FINANCIAL REPORT - Mr. Layne provided the monthly cash flow figures for the various funds and noted some revisions will be made upon completion of the annual audit.

COMMISSIONER DOLAN provided a brief update with regards to the Turnberry Farms Homeowners Association and the Agreement with the Township.

OLD BUSINESS

COMMISSIONER IATESTA requested an update with regards to the monument at the Pottsgrove Middle School and asked what the Township can do to get this matter resolved. Attorney Garner stated the Township is still holding money in escrow for the project and can do whatever work that needs to be done. Mr. Garner he would discuss the matter with the Township Engineer. After a brief discussion, a motion by Iatesta, seconded by Dolan, to authorize the Solicitor to take the necessary action to have the monument installed at the school's expense. All aye votes.

NEW BUSINESS

ROUSE/CHAMBERLIN, REQUEST FOR PHASE II AND III DEDICATION – Attorney Garner indicated that the Township has received a request from Rouse/Chamberlin to accept dedication of the Phase II and Phase III sewer improvements. The requirements to accept the completed sewer improvements are outlined in the terms of an Improvement Agreement between Rouse/Chamberlin and the Township. After discussion, a motion by Dolan, seconded by DeLena, to accept dedication of Phase II and Phase III of the sanitary sewer mains subject to Rouse/Chamberlin providing evidence to the Township of compliance with all terms and conditions contained in the Improvement Agreement. All aye votes.

RENOVATIONS BY DESIGN REQUEST FOR ESCROW RELEASE TOTALING \$168,299 FOR THE FARMINGTON AVENUE SEWER REPLACEMENT PROJECT PHASE I – Attorney Garner outlined the Township had received a request from Renovations by Design releasing \$168,299.00 for the Farmington Avenue sewer replacement for Phase I. A motion by Dolan, seconded by Iatesta, to accept dedication of Phase I of the Farmington Avenue sewer improvements and release the amount requested subject to the Developer executing a Township approved Improvement Agreement. All aye votes.

WILLOW STREET PROJECT AGREEMENT - After a brief discussion, a motion by Iatesta, seconded by DeLena, to approve and authorize the execution of the Willow Street Water Extension Agreement. All aye votes.

SWEETWATER REVIEW EXTENSION - A motion by Dolan, seconded by Iatesta, to grant the 90-day review extension for the Sweetwater Subdivision from February 25, 2007. All aye votes.

PUBLIC COMMENT:

ROBERT SLOSS - 2097 Needhammer Road - Offered the following suggestions with regards to the agreement with American Towers and the cell tower: place the antennae's inside, provide a proper pulley system, go back to the original size of the flag, have a back up flag available, and provide a key to Township personnel in order for them to have the ability to raise and lower the flag when necessary.

GILBERT DUNCAN - 72 Hanover Drive - Requested a timeline with regards to the installation of the waterline on Hanover Drive. Mr. Duncan also expressed a concern with regards to the amount of water pressure in the fire hydrants. Mr. Layne stated he would look into the matter.

COMMISSIONERS COMMENTS:

COMMISSIONER IATESTA - Suggested the Township update the fee schedule with regards to highway/street permits.

COMMISSIONER TAYLOR - Provided an update with regards to the proposed Upland Square and reiterated the Township's concerns pertaining to the traffic impact along the Route 100/State Street intersection.

PAYMENT OF THE BILLS - Amended Bill List February 20, 2007 - Mr. Layne reported the amended Bill List includes payment of the following invoices Fulton Bank, Occupational Health and the Montgomery County Association for Township Commissioners. A motion by Iatesta, seconded by DeLena, to approve the amended Bill List dated February 20, 2007 for General Fund in the amount of \$38,174.80; Fire Fund in the amount of \$2,135.51; Park and Recreation Fund in the amount of \$8.93; Sewer Fund in the amount of \$14,877.60; State Fund in the amount of \$2,979.66 and Capital Fund in the amount of \$56,152.18. Total Disbursements - \$114,328.68. All aye votes.

APPROVAL OF MINUTES - January 16, 2007 - A motion by Iatesta, seconded by Dolan, to approve the minutes of the January 16, 2007, meeting as presented. All aye votes.

APPROVAL OF MINUTES - February 5, 2007 - A motion by DeLena, seconded by Iatesta, to approve the minutes of the February 5, 2007, meeting as presented. All aye votes.

Commissioner Noll arrived at 8:32 P.M.

NO PLACE FOR HATE - Mr. Layne announced there will be a "No Place for Hate" program held at the Pottsgrove Middle School on Friday, March 2, 2007 at 6:00 P.M.

ADJOURNMENT - A motion by Noll, seconded by DeLena, to adjourn the meeting at 8:35 P.M.
All aye votes.

Respectfully submitted,

Cynthia H. Saylor
Township Secretary