

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

**April 16, 2007**

A meeting of the Board of Commissioners was held on Monday, April 16, 2007, at the Upper Pottsgrove Township Administrative Office, 1409 Farmington Avenue, with Commissioners Dolan, DeLena, Noll and Taylor present. Also present were Solicitor Charles D. Garner, Jr., Township Engineer John Theisen, Township Manager Jack P. Layne and Township Secretary Cynthia Saylor. Mr. Taylor called the meeting to order at 7:02 P.M. There were 12 people present in the audience. Commissioner Iatesta was absent. Mr. Sloss advised he was taping the meeting.

**MOMENT OF SILENCE** - Mr. Taylor requested a moment of silent prayer 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:**

**CARL SPECHT - 150 Primrose Lane** - Provided the following attached letter to the members of the Board regarding the water connection to his property. Mr. Specht also provided pictures of neighboring properties showing how their homes are connected to the public water system.

**DIANA UPDEGROVE - 1404 Farmington Avenue** - Advised she was taping the meeting.

**ROBERT SLOSS - 2097 Needhammer Road** - Requested a clarification with regards to the marking of underground utilities. When Mr. Sloss questioned the number of homes that are not yet connected to public water; Mr. Layne stated approximately 15 - 20.

**SCOTT MILLER/HERB MILLER** - Scott Miller, Chairperson for the Upper Pottsgrove Township Historical Committee, and Herb Miller presented an example plaque that will be given to those residents who wish to identify their property as historical. The color and dogwood insignia is similar to the signs currently erected at the Township parks. A list was presented to the Commissioners recommending the buildings and barns for the "first-go-around". It was the consensus of the members of the Board that the Historical Committee pursue this project and continue updating them as to their progress.

**EMERGENCY SERVICES REPORT** - Commissioner Noll stated a copy of the monthly report will be posted on the bulletin board. Mr. Noll reported the Fire Committee will meet on Thursday, April 19, 2007 and thanked everyone who supported the recent Easter flower sale.

**PLANNING & ZONING REPORT** - Commissioner Taylor reported the Planning Commission met and discussed the proposed Austerberry Subdivision.

**PUBLIC WORKS REPORT** - Commissioner Taylor reported a pre construction meeting was held on April 9, 2007 with E.J. Brenneman regarding the reconstruction of Farmington Avenue and noted Upper Pottsgrove Township will be the first project of the year with a projected start date of May 1, 2007.

**PUBLIC WORKS REPORT CONT'D** - This will include a 5 to 6 inch deep cold mix recycling, a re-profiling of the roadway with a 3 % crown from the center line to the should and a 1 ½ inch overlay.

**PARK, RECREATION AND OPEN SPACE REPORTS** - Commissioner Dolan provided a detailed report with regards to the recent activities of the Park, Recreation and Open Space Committees. Mr. Dolan expressed his appreciation to Herb Miller and Dennis Elliott for all their efforts in pursuing open space properties throughout the township.

**ROBERT SLOSS - 2097 Needhammer Road** - Questioned Commissioner Dolan as to whether the Open Space Committee ever considered pursuing the tract of land owned by Waste Management. Mr. Dolan stated the Open Space Committee has identified other properties within the Township as a higher priority.

**ADMINISTRATIVE REPORT** - Commissioner DeLena provided a brief update with regards to the Township's website and noted the next edition of the Township Newsletter will mailed out within the next several weeks. Mr. Layne and Commissioner Noll both expressed their appreciation to the Administrative Staff for their efforts with regards to the new financial software.

**TOWNSHIP ENGINEER** - Township Engineer John Theisen reported sales are "picking up" in the Summer Grove Subdivision. It was noted that a copy of the monthly Engineer's Report would be posted on the bulletin board.

**SOLICITOR'S REPORT** - Attorney Chuck Garner reported an appeal has been filed against a recent Zoning Hearing Board decision involving a State Street property. He further reported a meeting has been set with the Maugers Mill residents regarding the on going drainage issues as well as with the residents to discuss the Farmington Avenue West sewer extension. Mr. Garner provided an update with regards to the Wolf Run project and the missing monument at the Pottsgrove Middle School. Mr. Garner reported a public hearing will be held on May 7, 2007, to discuss the proposed Age Restricted Ordinance.

When **ROBERT SLOSS, 2097 Needhammer Road**, questioned the status of the cell tower; Mr. Garner stated he has been contacting the Attorney representing the cell tower and noted they are waiting for revised plans from the carrier.

**MANAGER'S REPORT** - Mr. Layne reported the Farmington Avenue repaving effort is scheduled to begin during the first week in May. He further reported he met with DEP officials and Pottstown Borough staff to discuss the status of the Wolf Run water project; attended Emergency Management Coordinator training at the Landsdale Fire Company; submitted a grant application to the County for Emergency Operating Center enhancements; i.e. a laptop, fax/copier, equipment, vests, etc. Mr. Layne noted that he along with Commissioner Taylor attended a West Pottsgrove Township Planning Commission meeting to obtain additional information with regards to the Upland Square project.

**FINANCIAL REPORT** - Mr. Layne provided the members of the Board with the monthly cash flow reports for the various accounts. Mr. Layne reported the Administrative Staff has begun using the new financial software and we expect to have the monthly reports available by mid-May.

**ROBERT SLOSS - 2097 Needhammer Road** - Expressed his concern that copies of the Bill List were not available for the public. Mr. Sloss questioned the status of the Open Space Fund.

**RESOLUTION #510 - APPROVAL OF AUSTERBERRY SUBDIVISION** - Attorney Garner reported applicants Christopher & Joan Austerberry submitted a minor subdivision plan which is intended to be acquired by Upper Pottsgrove Township for open space purposes. After discussion, a motion by Dolan, seconded by DeLena, to approve Resolution #510. All aye votes.

**APPROVAL OF CIVIL SERVICE RULES AND REGULATIONS** - Attorney Garner noted that the revisions made to the Civil Service Rules and Regulations were very minor. After a brief discussion, a motion by Noll, seconded by Dolan, to approve the Civil Service Rules and Regulations of Upper Pottsgrove Township as amended. All aye votes.

#### **PUBLIC COMMENT**

**ROBERT SLOSS - 2097 Needhammer Road** - Expressed his concern that matters of real estate are being discussed in Executive Session.

**PAYMENT OF BILLS** - A motion by Noll, seconded by DeLena, to approve the Bill List dated April 16, 2007 for General Fund in the amount of \$44,872.59; Fire Fund in the amount of \$1,642.11; Park & Recreation Fund in the amount of \$3,509.54; Sewer Fund in the amount of \$20,909.08; Capital Fund in the amount of \$40,101.98 and State Fund in the amount of \$2,652.79. Total Expenditures - \$113,688.09. All aye votes.

**APPROVAL OF MINUTES - March 19, 2007** - A motion by Noll, seconded by DeLena, to approve the minutes of the March 19, 2007, meeting as presented. All aye votes.

**APPROVAL OF MINUTES - April 3, 2007** - A motion by Delena, seconded by Dolan, to approve the minutes of the April 3, 2007, meeting as presented. Aye votes: DeLena, Dolan and Taylor. Abstain: Noll. Mr. Noll explained he abstained from voting due to the fact he was not present at the April 3, 2007, meeting. Motion carried.

**EXECUTIVE SESSION** - At 8:10 P.M. Mr. Taylor reported that the Board would be meeting in Executive Session to discuss matters involving personnel, matters of litigation and real estate. The meeting reconvened at 8:48 P.M.

**ADJOURNMENT** - There being no further business, a motion by Dolan, seconded by DeLena, to adjourn the meeting at 8:50 P.M. All aye votes.

Respectfully submitted,

Cynthia H. Saylor  
Township Secretary