

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

**June 4, 2007**

The meeting of the Board of Commissioners was held on Monday, June 4, 2007, at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Commissioners DeLena, Dolan, Iatesta, Noll and Taylor present. Also present were Solicitor Gregory Shantz, Engineer John Theisen, Township Manager Jack P. Layne and Township Secretary Cynthia Saylor. Mr. Taylor called the meeting to order at 7:02P.M. There were 10 people present in the audience. Mr. Sloss indicated he was taping the meeting.

**MOMENT OF SILENT PRAYER** - 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** - There was no public comment.

**NEW BUSINESS:**

**#3-04 SWEETWATER SUBDIVISION REVIEW EXTENSION REQUEST** - A motion by Dolan, seconded by Iatesta, to approve a 120 day review extension from May 26, 2007, for the Sweetwater Subdivision. All aye votes.

**SUMMER GROVE PROJECT ESCROW RELEASE REQUEST** - A motion by Dolan, seconded by DeLena, to authorize the escrow release request for the Summer Grove Project in the amount of \$169,491.84 as recommended by the Engineer. All aye votes.

**ROBERT SLOSS - 2097 Needhammer Road** - Questioned the Engineer as to why he is recommending an escrow release in the amount of \$169,491.84 when the developer requested a release of \$238,882.19. Mr. Theisen stated his recommendation was based on the fact that the actual engineering and inspection expenditures totaled \$2,268.56 and not \$71,658.91 as requested.

**OLD BUSINESS:**

**ALTHOUSE SUBDIVISION REVIEW EXTENSION REQUEST** - A motion by Dolan, seconded by DeLena, to approve a 90 day review extension from June 11, 2007, for the Althouse Subdivision. All aye votes.

**TRAFFIC CALMING ORDINANCE** - An Ordinance of Upper Pottsgrove Township creating section 310-19H, Traffic Calming, of Chapter 310, Subdivision and Land Development, of the Code of Ordinances to Create Requirements for Traffic Calming Devices in New and Existing Residential Areas. Commissioner Taylor summarized the context of the proposed ordinance. Attorney Shantz noted the goal of the proposed Ordinance is to protect the Township and the concerned citizens.

**COMMISSIONER IATESTA** - Expressed concern as to whether current developments would fall under the rules outlined in the proposed ordinance and noted the Township has already had a request from one of the residents.

**COMMISSIONER DOLAN** - Stated he was under the impression that the Police Department already had guidelines to follow with regards to traffic calming such as traffic lights and stop signs. Commissioner Taylor stated standard traffic signals and stop signs would come under PennDOT and engineering. Township Engineer John Thiesen stated these signals and stop signs are covered under state regulations. He further stated that PennDOT does have a traffic calming handbook.

**COMMISSIONER NOLL** - Expressed concern as to how future Boards will know to refer to PennDOT's traffic calming handbook.

**DIANA UPDEGROVE - 1404 Farmington Avenue** - Noted the importance of the proposed Traffic Calming Ordinance. Mrs. Updegrove expressed concern with regards to making the developers aware of their financial responsibility pertaining to the proposed Traffic Calming Ordinance.

**ROBERT SLOSS - 2097 Needhammer Road** - Stated according to the laws of the Commonwealth the speed limit is 55 miles per hour unless posted otherwise.

After further discussion, a motion by Iatesta, seconded by DeLena, to forward the proposed Traffic Calming Ordinance to the Planning Commission with the changes as discussed. All aye votes.

**GOOSE RUN PEDESTRIAN TRAIL PROPOSAL** - Commissioner Taylor provided a brief history with regards to the proposed Goose Run Pedestrian Trail and noted that Rouse/Chamberlin has dedicated land in addition to making a monetary contribution of \$30,000 for the improvements to the trail network through the Summer Grove Development. He further stated Bursich Associates has provided the Township a proposal for the design work in the amount of \$10,000 and an estimated cost for actual construction between \$22,000 and \$32,000. Mr. Taylor reported that funds have been allocated for the Goose Run project.

**COMMISSIONER DOLAN** - Noted there are some difficulties in engineering the proposed pedestrian trail in that there is diverse terrain as well as a stream going through it. Mr. Dolan volunteered contacting Bursich Associates to see if they would be willing to reduce the \$10,000 proposal for the design work.

When **COMMISSIONER DELENA** questioned the length of the trail; Mr. Theisen stated between 3,500 and 4,000 feet. Commissioner Taylor explained the trail would start on Pineford Road, run the length of Goose Run, and cross over Chestnut Grove Road. Commissioner Dolan stated the proposed trail would link into the PAL fields along Chestnut Grove Road.

**TOWNSHIP MANAGER** - Mr. Layne reported he met with representatives from the Conservation District regarding a possible "no match" grant for trees.

**COMMISSIONER NOLL** - Asked if there was a plan for the members of the Board to look at and expressed his concern as to often the proposed pedestrian trail will actually be used because of its location. Mr. Noll stated he is not opposed to the trail; however he wants to be assured that the Township is spending the money wisely.

**ANDREW GALLAS - 1006 Fallbrook Lane** - Expressed a concern with regards to kids riding on four wheelers on the property and suggested it be posted with a sign stating “no motorized vehicles.”

When **RENEE SPAIDE, 1979 Yarnall Road,** questioned who will be responsible for the maintenance of the trails; Mr. Taylor responded the Township. Ms. Spaide stated the Township will need to hire additional employees.

**ROBERT SLOSS - 2097 Needhammer Road** - Expressed concern with regards to the location of the proposed pedestrian trail being built on wetlands.

When **COMMISSIONER IATESTA** asked if the Solicitor reviewed the contract; Mr. Taylor stated that he had.

After further comments, a motion by Dolan, seconded by Iatesta, to authorize Staff to move forward with the proposal in the amount of \$10,000 and that the Manager contact Bursich Association and negotiate a possible reduction in their proposal. All aye votes.

**PUBLIC COMMENTS:**

**HENRY BEALER - 1382 Farmington Avenue** - Asked if the Township is ever going to consider adopting an ordinance with regards to dead trees. Attorney Shantz stated he research this issue and has already drafted an ordinance which would require the removal of a dead tree within one hundred (100) feet of the property line.

**DIANA UPDEGROVE - 1404 Farmington Avenue** - Expressed her concern with regards to enforcing such an ordinance and noted all the dead trees along the Route 100 corridor. Mrs. Updegrove stated previously the Township notified the property owners of dead trees and it was their responsibility to take care of it. Mr. Taylor noted if the Township had an ordinance in place it would be easier to enforce.

**COMMISSIONERS COMMENTS:**

**COMMISSIONER NOLL** - Referenced the False Fire Alarm and questioned whether the members of the Board were ready to take action on the proposed ordinance. After review of the fire service fees, a motion by Noll, seconded by Dolan, to authorize the Solicitor to advertise the False Fire Alarm Ordinance. All aye votes.

**COMMISSIONER DELENA** - Requested an update with regards to the proposed Noise Ordinance. Attorney Shantz reported a draft ordinance will be available for discussion at the June 18<sup>th</sup> meeting.

**COMMISSIONER IATESTA** - Reported the issue regarding the monument at the Pottsgrove Middle School has been resolved. Mr. Iatesta expressed his thanks to the Township Manager for working on the Willow Street drainage problem. He also reported that the flag on the cell tower is tattered and needs to be replaced.

**COMMISSIONER NOLL** - Stated the Township should send a letter to American Tower expressing our thanks to them for removing the antennae's and moving them inside the cell tower; in addition notifying them of the torn flag.

**FARMINGTON AVENUE** - Mr. Layne referenced the paving of Farmington Avenue and stated the contractor is using a "new European process" but it can only be used on a dry road surface.

**PAYMENT OF BILLS** - Commissioner Noll questioned invoices from Stratix and APS Wireless Communications. After a brief discussion, a motion by Iatesta, seconded by Noll, to approve the Bill List dated June 4, 2007, for General Fund in the amount of \$33,450.56; Park and Recreation Fund in the amount of \$16.92; Sewer Fund in the amount of \$3,706.24; State Fund in the amount of \$2,050.00; Open Space Fund in the amount of \$2,600.00 and Capital Fund in the amount of \$326,359.88. Total Expenditures - \$368,183.60. All aye votes.

**ROBERT SLOSS - 2097 Needhammer Road** - Referenced an invoice from Divine Springs and asked why the Township is paying for spring water when they are connected to the public water system and have Superior Water. He also questioned invoices from Rocket Car Wash and Barry Kerchner. It was noted that the check for Rocket Car Wash will be voided and the invoice for Barry Kerchner was payment for the DeJohnette zoning hearing.

**EXECUTIVE SESSION** - At 8:06 Mr. Taylor announced the Board would meet in Executive Session; however, no decisions would be made. The meeting reconvened at 8:38 P.M.

**ADJOURNMENT** - There being no further business, a motion by DeLena, seconded by Noll, to adjourn the meeting at 8:40 P.M. All aye votes.

Respectfully submitted,

Cynthia H. Saylor,  
Township Secretary