

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

February 17, 2009

A meeting of the Board of Commissioners was held on Tuesday, February 17, 2009, at the Upper Pottsgrove Township Administrative Office, 1409 Farmington Avenue, with Commissioners DeLena, Dolan, Noll and Taylor present. Also present were Solicitor Charles D. Garner, Jr., Township Manager Jack P. Layne, Chief of Police William A. Moffett, Public Works Director Frank Quinter and Township Secretary Cynthia Saylor. Mr. Taylor called the meeting to order at 7:08 P.M. There were 13 people present in the audience. Commissioner Spaide was absent due to illness.

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: None

REPORTS:

EMERGENCY SERVICES - Township Manager Jack Layne announced that there will be an Emergency Management Team Training Session held at 10:00 A.M. on Thursday, February 19th and invited anyone who is interested to participate. Mr. Layne advised Thursday's training session will be in preparation for the Weather Emergency Drill that will be held in March.

PLANNING & ZONING REPORT - Commissioner Taylor reported the Planning Commission has discussed the H20 Grant, the PennVest funding and the Act 537 Plan.

PUBLIC WORKS REPORT - Public Works Director, Frank Quinter, stated a copy of the monthly Highway Report would be posted on the bulletin board.

PARKS, RECREATION AND OPEN SPACE REPORTS - Commissioner Dolan reported the Master Plan for the Prince/Austerberry Park is moving forward. Mr. Dolan stated the Committee met with Pottstown Borough to see how their planned bike lanes will connect with the Sprogel's Run Trail.

ROBERT SLOSS - 2097 Needhammer Road - Reported that a "Do Not Enter" sign was down at Kulp Fields.

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

TOWNSHIP SOLICITOR'S REPORT - Attorney Chuck Garner reported his monthly activities include working on the Retail Office Zoning District ordinance, continued to work with the Developer from the Upland Square Shopping Center regarding the State Street cul-de-sac and emergency access points.

ROBERT SLOSS - 2097 Needhammer Road - Addressed the Solicitor and questioned the status of the drainage issue regarding the Church of the Latter Day Saints. Attorney Garner stated the Board has put the issue to rest based upon the inability to get all the property owners to agree to some sort of resolution regarding the matter. Mr. Sloss also questioned the status of the request for speed bumps within the Cherrytree Development. Commissioner Taylor explained the Board adopted an ordinance outlining the protocol that describes the procedure in association with our Police Department and it requires a community request in a certain form; however the Township has not received anything from the residents.

TOWNSHIP MANAGER'S REPORT - Mr. Layne reported he provided information and attended meetings in support of the H2O and PennVest sewer and water project applications; coordinated efforts for the Township's participation in the Limerick Generating Station Emergency Management Exercise that will occur in November; attended Montgomery County Emergency Management Coordinator training session; assisted in coordinating efforts to contact Regal Oaks residents regarding the inspection of their properties; and coordinated efforts for the preparation and development of a Master Plan for the Prince/Austerberry Property by Rettew. Mr. Layne he is putting together an application for fiscal year 2010 funding from Congressmen Dent's office. Mr. Layne expressed his thanks and appreciation to the Public Works Department for handling the Regal Oaks inspections.

FINANCIAL REPORT - Mr. Layne reported the Township recently received payment from the School District for the School Resource Officer in the amount of \$55,000 and also a check from the Borough of Pottstown for sewer usage for approximately \$63,000.

NEW BUSINESS:

APPROVAL OF AGREEMENT AUTHORIZING HOUGH ASSOCIATES TO COLLECT 2008 RESIDENTIAL AND COMMERCIAL RECYCLING DATA AND TO PREPARE THE PADEP 904 RECYCLING GRANT APPLICATION - A motion by DeLena, seconded by Dolan, authorizing Hough Associates to collect 2008 residential and commercial recycling data and to prepare the Recycling Grant Application. All aye votes.

DISCUSSION REGARDING PROPOSED 2009 TOWNSHIP ROAD IMPROVEMENTS -

Public Works Director, Frank Quinter submitted a list of tentative paving and microsurfacing projects for 2009 and requested authorization from the Board to proceed with obtaining costs for the road improvements. Mr. Quinter reported the list consists of five projects which include North Hanover Street - beginning at the driveway of the Hollenbach Open Space to Mervine Street, Pineford Road - from the Berks County line to the beginning of the sharp curve, Chestnut Grove Road - from Pineford Road to 1458 Chestnut Grove Road, Horseshoe Drive, Irwin Place and Hanover Drive. Mr. Quinter stated he would contact the Department of General Services regarding the asphalt and noted since the Township is under State contract we can purchase the asphalt for much less than a contractor can. He further stated that if there is no limit on the tonnage the Township will be able to bid it and buy it at our price which is currently \$58.00/per ton.

Commissioner Noll arrived at 7:30 P.M.

OLD BUSINESS:

DISCUSSION AND POSSIBLE APPROVAL OF REQUEST FOR PROPOSAL FOR A SINGLE TRASH HAULER - The members of the Board discussed the revised bid specifications for residential solid waste collection, recycling and disposal for the Township. Attorney Garner explained the new “opt out” clause and advised a Township resident who chooses to “opt out” simply needs to respond to the request to opt out and does not need to show proof of any licensed trash hauler within the Township. He further explained that the residents will have the option of using their own private hauler or the Township designated hauler. Commissioner Taylor stated another issue was the billing practice; whether the haulers would do the collection or whether the Township would bill the residents. Commissioner Taylor noted when the bid package goes out we will request them to provide costs both ways; whether the haulers would bill or the Township. There was a brief discussion regarding whether the proposal should include service to apartments or buildings devoted to three (3) or more multi-family occupancy.

DEIDRE SLIFER - Farmington Avenue - Requested a copy of the Bid Proposal.

When **ROBERT SLOSS, 2097 Needhammer Road**, questioned whether a bid package would be sent to ChesMont; Commissioner Taylor stated the bid specifications will be available to anyone who wants to bid on the project. Mr. Sloss expressed his concern that copies of the proposal were not made available to the public. Mr. Layne stated the proposal is still in the draft stage.

JENNIFER GROVES - 1425 Chestnut Grove Road - Questioned the possibility of having the option for recycling only.

ROBERT BEALER - 1402 Farmington Avenue - Expressed his concern that the Township would not be able to get a fair bid without knowing the number of residents that would participate in the program.

DEIDRE SLIFER - Farmington Avenue - Suggested the Township send out a mailing in order to get an idea as to the interest from the residents. Commissioner Taylor stated sending out a mailer would be premature since we can't provide the residents with a cost for the service.

JIM CAPINSKI - 1958 Yarnall Road - Requested a clarification as to whether the Township is asking for a bid per household.

ROBERT BEALER - 1402 Farmington Avenue - Requested clarification with regards to commercial vs. residential hauling.

HENRY BEALER - 1382 Farmington Avenue - Expressed concern that he only has one bag of trash per week and questioned how the Township would charge him. Commissioner Taylor advised Mr. Bealer that he could choose to “opt out” or choose to get the “per bag” service.

ROBERT SLOSS - 2097 Needhammer Road - Stated he can't see what's wrong with the system that is currently in place and noted he is totally against municipal trash service.

Attorney Garner noted that specifying a time frame as to when the service would begin is very important.

PUBLIC COMMENT:

ROBERT SLOSS - 2097 Needhammer Road - Reported a downed tree across the electrical wires on Needhammer Road and expressed his concern regarding a safety issue. Public Works Director Frank Quinter stated he had the Police Department contact Met-Ed regarding the matter.

JIM CAPINSKI - 1958 Yarnall Road - Stated there is a similar situation on Yarnall Road.

COMMISSIONER NOLL requested the Manager contact Met-Ed to request a status as to when someone will be out to take care of the downed trees.

COMMISSIONERS COMMENTS:

COMMISSIONER DOLAN - Reported he sent letters to the members of COG as well as Douglass/Berks inviting them to a meeting on Monday, March 30th at 7:00 P.M. regarding police regionalization. Mr. Dolan stated he has been getting positive feedback from the COG members.

COMMISSIONER NOLL - Asked what Townships have been invited. Commissioner Dolan stated all the members of COG and Douglas/Berks Township.

COMMISSIONER DELENA - Expressed her concern regarding skateboarders and their safety and suggested the Township institute an ordinance or policy. Mrs. DeLena stated she spoke to the Resource Officer at the High School and he stated Lower Pottsgrove has been issuing citations to anyone skateboarding on the streets. She further stated she is concerned for the safety of the skateboarders as well as the drivers.

JENNIFER GROVES - 1425 Chestnut Grove Road - Suggested that the Township hold a safety class for skateboarders and their parents rather than having the police issue them citations. Chief Moffett stated he would look into the matter.

RICHARD BALL - Chestnut Grove Road - Requested clarification with regards to a proposed policy regarding skateboarding.

DEIDRE SLIFER - Farmington Avenue - Suggested the Township designate a place for skateboarding.

PAYMENT OF BILLS - A motion by DeLena, seconded by Dolan, to approve the Bill List dated February 2, 2009 for General Fund in the amount of \$26,921.31; Fire Fund in the amount of \$1,246.33; Sewer Fund in the amount of \$66,837.10; State Fund in the amount of \$8,367.35; Capital Fund in the amount of \$1,480.00; Escrow Fund in the amount of \$4,607.39 and Open Space Fund in the amount of \$1,054.29. Total Expenditures - \$120,513.77. All aye votes.

Commissioner Noll questioned the amount of the invoice for CMERT.

ROBERT SLOSS - 2097 Needhammer Road - Questioned the refund to Sprint.

APPROVAL OF MINUTES - February 2, 2009 - A motion by DeLena, seconded by Noll, to approve the minutes of the February 2, 2009, meeting as presented. All aye votes.

EXECUTIVE SESSION - At 8:05 P.M. Mr. Taylor announced there would be an Executive Session to discuss real estate acquisition. The meeting reconvened at 8:44 P.M. with no decisions being made.

ADJOURNMENT - There being no further business, a motion by DeLena, seconded by Dolan, to adjourn the meeting at 8:45 P.M. All aye votes.

Respectfully submitted,

Cynthia H. Saylor,
Township Secretary