

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

April 19, 2010

A meeting of the Board of Commissioners was held on Monday, April 19, 2010, at the Upper Pottsgrove Township Administrative Office, 1409 Farmington Avenue, with Commissioners Dolan, Miller, Noll, Spaide and Taylor present. Also present were Township Solicitor Charles D. Garner, Jr., Township Manager Jack P. Layne, Jr., Police Chief William Moffett and Township Secretary Cynthia H. Saylor. Mr. Taylor called the meeting to order at 7:00 P.M. There were 6 people and a Mercury Reporter present in the audience.

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:

TOM WERT - 183 Primrose Lane - Requested an update on the status of the O'Neil property located on Heather Place. Mr. Wert reported the house is abandoned, the grass is getting high and there is a tree that has fallen down on the property. Mr. Layne stated he would discuss the matter with the Code Enforcement Officer.

REPORTS

EMERGENCY SERVICES - Commissioner Noll reported that Officers Crawford and Farrell have completed "Crime Scene Investigations" training. He further reported that the Fire Committee met last week and he noted that meetings are held on the third Thursday of every month. Commissioner Noll referenced an out of service police vehicle and questioned the possibility of having the title transferred to the Fire Marshall. Mr. Noll stated that the car would be used strictly for fire purposes. Commissioner Dolan suggested the Township implement a written policy with regards to use of the vehicle. Commissioner Taylor suggested reimbursing the Fire Marshall for mileage. After discussion, it was agreed that the Manager would draft a policy with regards to use of the vehicle by the Fire Marshall. Commissioner Miller requested clarification with regards to holding cell reimbursement.

DIANA UPDEGROVE - 1404 Farmington Avenue - Suggested the Township contact their insurance company with regards to the Fire Marshall's vehicle.

PUBLIC WORKS REPORT - Commissioner Spaide reported that the annual street sweeping began today and will continue through April 22, 2010. She further reported the Highway Department responded to "call outs" by the Police Department for downed trees on Bruce Drive, Continental Drive and Moyer Road; replaced downed signs on Route 100 due to a traffic accident and patched potholes on Ming Drive, Broadmoor Road and Kummerer Road. Commissioner Miller expressed concern that not enough money was budgeted for highway training. Mr. Layne stated he would look into the matter. Commissioner Miller questioned why the Township is over spent on traffic signal maintenance.

PUBLIC WORKS REPORT CONT'D - Mr. Layne explained that the Developer for the Upland Square Shopping Center gives the Township \$50,000 annually for the maintenance of the traffic signal and we won't receive the 2010 allocation until August. Commissioner Noll expressed his thanks to the Highway Department for sharing the "road closure" signs with the Fire Company.

PARKS, RECREATION AND OPEN SPACE - Commissioner Miller reported that Saturday, April 24, 2010, is "clean-up" day in the Township.

SPECIAL TOWNSHIP PROJECTS - Commissioner Dolan reported that as of yet no decision has been made by Lower or West Pottsgrove Township pertaining to the Regionalization of the Police Force. He further reported that the study, conducted by the Governor's Center for Local Government Services, suggested that both Upper and West Pottsgrove may save money in the first year; Lower Pottsgrove may actually end up paying more. West Pottsgrove would save approximately \$99,000 the first year and Upper Pottsgrove would save approximately \$226,000; Lower Pottsgrove would end up spending \$224,365 more than it would if it kept its own department. Commissioner Taylor noted that if we pursue the plan the costs have to be spread evenly and fairly. When Commissioner Miller questioned a possible time frame for the regionalization to take place; Commissioner Dolan stated it doesn't happen overnight and could take approximately twelve to eighteen months. After further discussion, a motion by Noll, seconded by Spaide, to pursue the investigation of the Regional Police Force based on the study that was presented by the Governor's Center for Local Government Services. All aye votes.

OPEN SPACE REPORT - Commissioner Dolan provided a brief update with regards to the open space referendum amendment and stated that he has been in contact with Senator Rafferty. Commissioner Noll suggested Commissioner Dolan contact the Lower Merion Township Manager and the Lower Merion Parks and Recreation Committee and noted that they are actively pursuing developing their open space.

PUBLIC HEARING TO DISCUSS PROPOSED ORDINANCE AMENDING CERTAIN PROVISIONS OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE - An Ordinance of Upper Pottsgrove Township Reestablishing Section 310-319, Roads, and Renumbering existing Section 310-19, Traffic Calming, to Become Section 310-19A, and Revising other Miscellaneous Sections of the Township Subdivision and Land Development Ordinance, also known as Chapter 310, Subdivision and Land Development, of the Code of the Township of Upper Pottsgrove, as amended. Attorney Garner noted that both the Upper Pottsgrove Planning Commission as well as the Montgomery County Planning Commissioner reviewed and recommended approval of the proposed amendments outlined in the Ordinance. There was no public comment.

ENGINEER'S REPORT - It was noted that a copy of the monthly Engineer's report would be posted on the bulletin board.

TOWNSHIP SOLICITOR'S REPORT - Attorney Garner reported that he along with the Township Manager have been reviewing the Township's Ordinance with respect to Solid Waste and Recycling and noted that some of the regulations outlined are outdated. Mr. Garner further reported that he and Mr. Layne met with representatives from TowerOne and they indicated that there is still a demand for cell towers within the Township.

TOWNSHIP MANAGER'S REPORT - Mr. Layne reported that the Township received a favorable 2009 Audit Report. He further reported that he along with Commissioner Noll and Public Works Director Frank Quinter attended a program at Pottstown Borough where proposed new storm water policies were discussed. Mr. Layne advised that an audit report is required for the Township's PennVest Program because it is over \$500,000 and recommended that we use Reinsel, Kuntz and Leshner, to perform this audit. He further advised the maximum cost of the audit is \$6,500. A motion by Spaide, seconded by Miller, to authorize Reinsel, Kuntz and Leshner to perform the PennVest audit. All aye votes.

FINANCIAL REPORT - Copies of the monthly Financial Reports were provided in the Board's meeting packet.

NEW BUSINESS:

DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED ORDINANCE AMENDMENT THAT WOULD ALLOW FOR CERTAIN DEFINITIONS CONTAINED IN THE INTERGOVERNMENTAL COOPERATIVE IMPLEMENTATION AGREEMENT -

An Ordinance of the Upper Pottsgrove Township Board of Commissioners Approving an Amendment to the Pottstown Metropolitan Regional Intergovernmental Cooperative Implementation Agreement for Regional Planning. A motion by Noll, seconded by Miller, to adopt Ordinance #441. All aye votes.

DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED EMERGENCY OPERATIONS PLAN FOR UPPER POTTS GROVE TOWNSHIP - After a brief discussion, a motion by Spaide, seconded by Noll, to approve the proposed Emergency Operations Plan for the Township. All aye votes.

DISCUSSION AND POSSIBLE APPROVAL OF THE PROPOSED COMMERCE CORNER MASTER PLAN - Commissioner Taylor reported the Regional Planning Commission reviewed the proposed Master Plan for Commerce Corner. A motion by Miller, seconded by Dolan, to approve the proposed Commerce Corner Master Plan. All aye votes.

OLD BUSINESS:

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE #442 AMENDING THE TOWNSHIP'S SUBDIVISION AND LAND DEVELOPMENT ORDINANCE - A motion by Dolan, seconded by Spaide, to adopt Ordinance #442. All aye votes.

PUBLIC COMMENT:

KEITH KEHL - 1941 Gilbertsville Road - Clarified a comment that he made at the April 5, 2010 meeting which was reflected in the minutes.

COMMISSIONER COMMENTS:

COMMISSIONER DOLAN - Reported that the Township has been invited by the Montgomery County Lands Trust to participate in a seminar with regards to open space planning.

COMMISSIONER MILLER - Reported that the Commissioners have been invited to PAL's Grand Opening planned for Saturday, May 15, 2010 at 1:00 P.M. In response to a question from Commissioner Miller; Commissioner Spaide volunteered to speak with Captain Drumheller in an effort to provide an update regarding the status of the PAL ball fields.

COMMISSIONER SPAIDE - Extended her congratulations to Commissioner Noll for receiving the 2010 Governor's Award for Local Government Excellence.

PAYMENT OF BILLS - April 19, 2010 - A motion by Noll, seconded by Dolan, to approve the Bill List dated April 19, 2010, for General Fund in the amount of \$101,659.63; Fire Fund in the amount of \$1,235.00; Sewer Fund in the amount of \$18,840.88; Capital Fund in the amount of \$165,159.99; Open Space Fund in the amount of \$1,472.19; State Fund in the amount of \$2,678.47 and Escrow Fund in the amount of \$10,619.68. Total Disbursements - \$301,665.84. All aye votes.

APPROVAL OF MINUTES - A motion by Spaide, seconded by Dolan, to approve the minutes of the April 5, 2010, meeting as amended. All aye votes.

EXECUTIVE SESSION - At 8:15 P.M. Commissioner Taylor announced that the Board would be meeting in Executive Session; however no decision would be made. The meeting reconvened at 9:30 P.M.

ADJOURNMENT - There being no further business, a motion by Miller, seconded by Dolan, to adjourn the meeting at 9:31 P.M.

Respectfully submitted,

Cynthia H. Saylor
Township Secretary