

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

January 3, 2011

The meeting of the Board of Commissioners was held on Monday, January 3, 2011, at the Upper Pottsgrove Township Administrative Office, 1409 Farmington Avenue, with Commissioners Dolan, Miller, Noll, Spaide and Taylor present. Also present were Solicitor Charles D. Garner, Jr., Township Manager Jack P. Layne and Township Secretary Cynthia Saylor. Mr. Taylor called the meeting to order at 7:00 P.M. There were 4 people 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: None.

NEW BUSINESS:

DISCUSSION AND POSSIBLE ACTION REGARDING THE PROPOSED APPOINTMENTS - A motion by Noll, seconded by Miller, to reappoint Herbert C. Miller as a member of the Upper Pottsgrove Township Planning Commission; Peter Dolan as a member of the Pottstown Area Regional Planning Commissioner, Ed O'Brien as a member of the Sewer and Water Committee; Dennis Elliott as a member of the Vacancy Board; Stanley Hildenbrand as the Fire Marshal, Jon Daywalt as the Animal Control Officer, Charles D. Garner, Jr., as the Township Solicitor; Jack P. Layne, Jr., as the Township Manager; LTL Consultants as the Engineering Firm; Dallas Data Systems as the Financial Services and Computer Software/Hardware Consulting Firm; and Redmond Consulting Ltd., as the Pension Fund Consulting Firm. All aye votes.

RESOLUTION #592 - A Resolution appointing John P. DahDah to serve as a member of the Zoning Hearing Board and appointing Julie Gallisdorfer and William Hewitt to serve as Alternate Members of the Upper Pottsgrove Township Zoning Hearing Board. A motion by Miller, seconded by Spaide, to adopt Resolution # 592. All aye votes.

DISCUSSION REGARDING THE PROPOSED TOWNSHIP SIGN ORDINANCE AMENDMENT - Commissioner Taylor reported that the Planning Commission reviewed the proposed amendment to the Township's Sign Ordinance especially the section pertaining to LED lighting. He further reported that the Township Manager, Attorney Garner, Commissioner Miller and LTL Consultants met numerous times to discuss modifying other portions of the current sign ordinance. Commissioner Miller stated that he attended several intense meetings over many months to improve Article 16 and Chapter 283 with regards to "signs" and "signs & billboards" respectfully. He further stated that at each meeting they reviewed and challenged the township's existing sign ordinance and studied other township's ordinances and extrapolated those contents that they felt were comprehensive and in so doing strengthen our ordinances.

DISCUSSION REGARDING THE PROPOSED TOWNSHIP SIGN ORDINANCE

AMENDMENT CONT'D - Commissioner Miller noted that over the past year there have been “happenings” that did not support the work of our Code Enforcement Officer at LTL Consultants, who, incidentally, is doing a fine job for our Township and we on the Board should be proud. He further noted that reasonable use of signs and specific objectives were considered and “hammered” out while keeping in mind the visual character of our township. Commissioner Miller expressed his thanks and appreciation to Attorney Garner for attending the numerous meetings regarding the proposed sign ordinance amendment. Attorney Garner noted that the ordinance was not intended to change any of the sign provisions for the township’s commercial district. Mr. Garner explained the “committee” tried to limit the size, limit the location and limit the duration and tried to be reasonable in determining what signs require a permit and which did not. Mr. Garner reported that the intent of the proposed ordinance was to make sure that the signs that are in place are removed in a prompt fashion and if not allow the Code Enforcement Officer the ability to remove them. Commissioner Noll requested clarification regarding sign requirements for the Commercial Office District. After discussion, it was agreed that the Board members would forward any questions or comments to the Manager. Commissioner Taylor requested clarification with regards to contractor signs vs. construction signs. There was discussion as to whether contractor signs should be removed at the end of the day or at the completion of the project. Commissioner Dolan expressed concern that the proposed amendment will allow the government to dictate whether signs can be placed on private property and stated he would not approve of the Township getting in between a resident and their private property rights.

DIANA UPDEGROVE - 1404 Farmington Avenue - Stated she was not in agreement with Commissioner Dolan.

OLD BUSINESS: None.

OTHER PUBLIC COMMENT: None.

COMMISSIONER COMMENTS: None.

PAYMENT OF BILLS - A motion by Dolan, seconded by Spaide, to approve the Bill List dated January 3, 2011, for General Fund in the amount of \$43,029.96; Fire Fund in the amount of \$43,036.68; Sewer Fund in the amount of \$7,605.96; Capital Fund in the amount of \$37,065.63; Open Space Fund in the amount of \$1,046.27; State Fund in the amount of \$23,870.13 and Escrow Fund in the amount of \$320.00. Total Disbursements \$156,874.63. All aye votes.

APPROVAL OF MINUTES - December 6, 2010 - A motion by Spaide, seconded by Miller, to approve the Minutes of the December 6, 2010, meeting as presented. All aye votes.

EXECUTIVE SESSION - At 7:32 P.M. Commissioner Taylor announced the Board would be meeting in Executive Session to discuss a matter of litigation; with no action being taken. The meeting reconvened at 7:44 P.M.

ADJOURNMENT - There being no further business, a motion by Noll, seconded by Spaide, to adjourn the meeting at 7:45 P.M. All aye votes.

Respectfully submitted,

Cynthia H. Saylor
Township Secretary