

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

July 18, 2011

A meeting of the Board of Commissioners was held on Monday, July 18, 2011, 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 Engineer Chris Hannum, Township Manager Jack P. Layne, Jr.; Police Chief William A. Moffett, Public Works Director Frank Quinter and Township Secretary Cynthia Saylor. There were 8 people present in the audience. Commissioner Taylor called the meeting to order at 7:00 P.M.

MOMENT OF SILENCE - Mr. Taylor requested a moment of silence in honor of the men and women who are currently serving and those who have served our country in the armed forces.

PLEDGE OF ALLEGIANCE - Those assembled pledged allegiance to the flag.

PUBLIC COMMENTS:

CARL SPECHT - 150 Primrose Lane - Expressed his concern that “surgical gloves” from the group home located on Primrose Lane are not being properly disposed of. In another matter, Mr. Specht questioned the use of the P.A.L. ball fields and noted that a semi pro football team had used the fields last fall. Mr. Layne stated he would look into the matter.

REPORTS:

EMERGENCY SERVICES - Commissioner Noll read the monthly Police Report and noted a copy would be placed on the bulletin board. Mr. Noll reported the Fire Committee will meet on Thursday, July 21, 2011 at 7:00 P.M. in the meeting room. Mr. Noll expressed his thanks and appreciation to the Highway employees for painting the lines on the floor of the Fire Company after the epoxy coating was applied. Commissioner Spaide advised that she will be unable to attend the next several Fire Committee meetings and suggested the Commissioners appoint another Board member to take her place. A motion by Spaide, seconded by Dolan, to temporarily appoint Commissioner Taylor as a member of the Fire Committee. All aye votes.

COMMISSIONER MILLER requested clarification from Chief Moffett with regards to the vandalism noted on the monthly Police Report.

COMMISSIONER SPAIDE expressed her thanks and appreciation to the Police Department and the Fire Company for responding to an emergency that occurred at her residence last week.

PLANNING & ZONING REPORT - Commissioner Taylor reported that the Planning Commission did not meet this month.

PUBLIC WORKS REPORT - Commissioner Spaide reported the Highway Department trimmed brush along Gilbertsville Road, near Snyder Road, to improve sight distance; continued to patch and compact pot holes on Kummerer Road, Detweiler Road and Snyder Road; continued mowing and trimming of all Township owned properties and painted safety yellow lines on the floor of the Fire Company after the epoxy coating was applied.

PARKS, RECREATION & OPEN SPACE - Commissioner Miller reported the Township will need to obtain bids for the installation of gabion baskets along Snyder Road in order to connect the Stauffer property with Sussell Park.

SPECIAL TOWNSHIP PROJECTS - Commissioner Dolan reported that letters were sent to surrounding municipalities regarding the use of open space referendum funding.

TOWNSHIP ENGINEER'S REPORT - Chris Hannum, LTL Consultants, announced that Engineer John Theisen will be taking retirement effective August 8, 2011 and that he would be taking over some of Mr. Theisen's responsibilities and assured the members of the Board of a smooth transition. It was noted that a copy of the monthly Engineer's Report would be posted on the bulletin board.

COMMISSIONER NOLL requested clarification with regards to the removal of a fence on a "paper" street as depicted on the monthly Building and Zoning Report. Mr. Layne noted that he would look into the matter.

TOWNSHIP SOLICITOR'S REPORT - Attorney Garner reported that he researched the possibility of the Fire Company billing insurance companies for emergency services. Mr. Garner advised that he was provided a rate sheet from the North Coventry Township Fire Company and noted that after further investigation the Township (North Coventry) does not get involved with any billing or reimbursement for emergency services; it is independently handled by their Fire Department. Commissioner Noll explained that the Fire Committee was looking for some direction as to whether they can invoice insurance companies for the reimbursement of flares, oil dry and any other materials used by the Fire Company. Commissioner Dolan suggested the Fire Committee implement a written policy and provide a copy to the Board of Commissioner for their review. In another matter, Attorney Garner reported that he along with Chris Hannum met with representatives from BCM Engineering (Pottstown Borough) to discuss a corrective action plan regarding the high flows along the Farmington Avenue sewer line.

TOWNSHIP MANAGER'S REPORT - Mr. Layne reported that he assisted in coordinating efforts regarding ongoing Police Department contract negotiations; supported efforts to prepare and submit the required documentation for the PennVest program that will allow for receipt of the final PENNVEST payment designated to the Township; coordinated efforts with the bankruptcy attorney, Township staff and First Niagara Bank with respect to THP's efforts to complete additional units at Coddington View; assisted in efforts to obtain revenue from digital billboards and assisted in coordination exploratory efforts for the Township to take over billing for the sewer and trash services provided to residents. Mr. Layne expressed his appreciation to Mr. West and Mr. Churach for all the time they have volunteered to the various open space projects throughout the Township.

WINTER MAINTENANCE AGREEMENT - RESOLUTION #597 - A motion by Noll, seconded by Dolan, to enact Resolution #597. All aye votes.

MONTHLY FINANCIAL REPORT - Mr. Layne reported that the Township has received 58.1% of its budgeted revenue and has disbursed 44.6% of its expenditures to date.

NEW BUSINESS:

DISCUSSION AND POSSIBLE APPROVAL OF A PROCLAMATION ESTABLISHING SEPTEMBER 2011 AS NATIONAL PREPAREDNESS MONTH - A motion by Noll, seconded by Spaide, to proclaim September 2011 as National Preparedness Month. All aye votes.

DISCUSSION AND POSSIBLE ACTION REGARDING THE FILLING OF A VACANT POSITION ON THE PLANNING COMMISSION - A motion by Noll, seconded by Dolan, to appoint William Hewitt to fill the vacant position on the Upper Pottsgrove Planning Commission due to the resignation of Donald Nice. Aye votes: Dolan, Noll, Spaide and Taylor. Opposed: Miller. Motion carried.

DISCUSSION AND POSSIBLE AUTHORIZATION TO REPAIR AND IMPROVE DESIGNATED ROADWAYS IN THE TOWNSHIP - Public Works Director Frank Quinter reported that the Township received three (3) bids for the paving of a 500' long section of Pineford Road with low bid being submitted by Stern Nester Paving for a total cost of \$9,900.00. After discussion, a motion by Dolan, seconded by Spaide, to award the bid to Stern Nester Paving not to exceed \$9,900.00. Aye votes: Dolan, Noll, Spaide and Taylor. Opposed: Miller. Motion carried. Commissioner Miller expressed concern that there was no continuity in the bid process. The Public Works Director was authorized by the Board to obtain budgetary figures for road work on Horseshoe Drive, North Hanover Street and Hanover Drive. Commissioner Noll referenced the \$75,000.00 revenue for the Heather Place cell tower and suggested that a portion of the money be used for road work.

In response to a question from **JOHN WEST, 1611 Applegate Lane**, regarding the \$65,000.00 received from Rouse Chamberlain; Commissioner Taylor noted the money was used for the paving and drainage work along Mock Road and at the intersection of Old Orchard Drive and the paving of Chestnut Grove and Pineford Roads.

DISCUSSION AND POSSIBLE APPROVAL OF PROPOSED RESOLUTION #598 THE REPLACEMENT OF MUNICIPAL RADIOS - Commissioner Taylor explained that Montgomery County is contemplating making the largest single capital investment in County history to upgrade the public safety communications system at an estimated cost of \$48 million. Police Chief William Moffett reported that the police radios that will be required for the upgraded system are estimated to cost about \$7,000 each, for a total of approximately \$17 million total. Chief Moffett explained the County will borrow the entire \$48 millions that includes the \$17 million for the radios, giving the municipalities three options: purchase the radios, which will cost an estimated \$7,000 each through the County purchase, lease the radios from the County at an estimated \$850 a year for each radio in a 10-year lease program, or do nothing. After discussion, a motion by Dolan, seconded by Noll, to adopt Resolution #598 noting that if the County determines to proceed with an upgrade; the Township will purchase the radios and the related user hardware for use by municipal personnel through private funding. All aye votes.

OLD BUSINESS:

DISCUSSION AND POSSIBLE ACTION REGARDING A RETAINING WALL AND DRAINAGE ISSUE AT CODDINGTON VIEW - The Board discussed the removal of the retaining wall behind Building 28 in the Coddington View Development. It was noted that Engineer John Theisen reviewed and approved a change to the Final Plan to eliminate the retaining wall in this area of the development. A motion by Spaide, seconded by Miller, to approve the change to the Final Plan eliminating the retaining wall conditioned upon approval of the property owner and further conditioned upon the planting of seven (7) five gallon size trees on the bank behind Building 28. All aye votes.

DISCUSSION AND POSSIBLE ACTION REGARDING ORDINANCE # 449 DENOTING THE PROPOSED AMENDMENT OF THE TOWNSHIP TRAFFIC ORDINANCE WITH RESPECT TO CUL-DE-SAC PARKING - An Ordinance of the Upper Pottsgrove Township Board of Commissioners Amending Sections 330-51, 330-52, 330-53, 330-54 of Article VI, Snow and Ice Emergencies, and Creating a New Section 330-32.A of Article IV, General Parking Regulations, of Chapter 330, Vehicles and Traffic, of the Code of Ordinances of Upper Pottsgrove Township, as Amended, to Prohibit Parking in Cul-De-Sacs during Snow Emergencies. A motion by Spaide, seconded by Miller, to adopt Ordinance #449. All aye votes.

OTHER PUBLIC COMMENT: None

COMMISSIONER COMMENTS: None

PAYMENT OF BILLS - July 18, 2011 - A motion by Dolan, seconded by Spaide, to approve the Bill List dated July 18, 2011, for General Fund in the amount of \$55,243.07; Fire Fund in the amount of \$5,700.46; Sewer Fund in the amount of \$13,043.07; Capital Fund in the amount of \$5,364.21; Open Space Fund in the amount of \$3,090.00; State Fund in the amount of \$12,154.49 and Escrow Fund in the amount of \$1,610.00. Total Expenditures ~ \$96,205.30. All aye votes.

APPROVAL OF MINUTES - June 20, 2011 - A motion by Spaide, seconded by Miller, to approve the minutes of the June 20, 2011, meeting as presented. All aye votes.

EXECUTIVE SESSION - At 8:45 P.M. Commissioner Taylor reported that the Board would be meeting in Executive Session to discuss the acquisition of open space. The meeting reconvened at 9:15 P.M. with no action being taken by the Board.

ADJOURNMENT - There being no further business, a motion by Spaide, seconded by Dolan, to adjourn at 9:16 P.M. All aye votes.

Respectfully submitted,

Cynthia H. Saylor,
Township Secretary