

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

August 15, 2011

The meeting of the Board of Commissioners was held on Monday, August 15, 2011, at the Upper Pottsgrove 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 A. Moffett, Public Works Director Frank Quinter and Township Secretary Cynthia Saylor. There were six 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 have served and are currently serving our country in the armed forces.

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

PUBLIC COMMENTS:

REGGIE LEISTER - 1693 Farmington Avenue - Referenced the township's sewer ordinance and expressed his concern regarding residents who have refused to connect to the public sewer system and the properties are being conveyed. Mr. Leister reported that the houses are being advertised that public sewer is available; however they are not telling the buyer that they need to connect to the sewer system. Attorney Garner explained that he has assessed liens against those properties that have not connected to public sewer and during a typical conveyance process the lien should be found and the Title Company should contact the Township.

REPORTS:

EMERGENCY SERVICES - Commissioner Noll read the monthly Police Report and noted that a copy would be placed on the bulleting board. Mr. Noll reported that the Fire Committee will meet on Thursday, August 18, 2011, at 7:00 P.M. in the meeting room. Mr. Noll extended his appreciation to the Highway employees for painting the lines on the floor of the Fire Company. He also thanked the Township Manager for attending a recent Emergency Management seminar.

PLANNING & ZONING - Commissioner Taylor reported that has been no activity this month.

PUBLIC WORKS REPORT - Commissioner Spaide reported the Highway Department patched holes along Snyder Road, Detweiler Road, Mock Road and Steinmetz Road; repaired sink holes on Mimosa Lane and Butternut Drive; trimmed brush at the Gilbertsville Road & Snyder Road intersection and at the intersection of Route 100 and Moyer Road; mowed five abandoned properties; painted the new lines on the Fire House floor and removed and replaced various stop signs throughout the Township.

PARKS, RECREATION AND OPEN SPACE - Commissioner Miller reported that the wood chips on the Goose Run Trail are rotted and suggested that material be placed down in an effort to control the weeds. He further reported the grass needs to be cut, the trail needs to be sprayed with weed control, material placed, and the macadam milling that is staged at Sunset Park spread on top.

PARKS, RECREATION AND OPEN SPACE CONT'D - Mr. Miller stated that an additional "No Dumping" sign is needed on Mangers Mill Road where it intersects with Yarnall Road. Mr. Miller referenced the arborvitae in Sunset Park and advised that the grape vines need to be removed or the trees will die. Commissioner Miller expressed his thanks to the Highway Department for installing a "No Dumping" sign at Sunset Park.

When **JOHN WEST, 1611 Applegate Lane**, suggested using the prison inmates for this project; the Public Works Director stated he would look into the matter.

ADMINISTRATION & SPECIAL PROJECTS - Commissioner Dolan reported that Representative Tom Quigley sent him a draft of a House Bill regarding the use of open space referendum funding.

TOWNSHIP ENGINEER'S REPORT - Chris Hannum reported a copy of the monthly Engineer's Report will be emailed to the members of the Board.

TOWNSHIP SOLICITOR'S REPORT - Attorney Garner reported that next month there will be an advertised public hearing with regards to the minor zoning map change to incorporate the Township property at Heather Place. He further reported that he along with the Township Manager have an upcoming meeting with representatives from First Niagara Bank regarding Coddington View Phase III improvements.

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; coordinated efforts with bankruptcy attorney, Township staff and First Niagara Bank with respect to THP's efforts to complete additional units at Coddington View; attended Emergency Management Coordinator training and participated in International City/County Management Association web site/telephone training sessions.

MONTHLY FINANCIAL REPORT - Mr. Layne reported that the Township has received 60.9% of its budgeted revenue and has disbursed 52.3% of its expenditures to date. Mr. Layne also reported that copies of the 2010 Audit Report has been provided to the members of the Board.

SIGNAL SERVICE PROPOSAL - Mr. Layne reported that the Township has received a proposal from Signal Service to upgrade the State Street intersection with LED lights at an estimated cost of \$4,000. He further reported that the Township will recoup funding for this project in approximately 2 ½ years. It was noted that State Street is the last intersection within the Township to be upgraded with LED lighting. After a brief discussion, a motion by Spaide, seconded by Dolan, to accept the proposal from Signal Service to upgrade the State Street intersection at a cost of \$4,000. All aye votes.

NEW BUSINESS

PRESENTATION PROVIDED BY POTTSTOWN REGIONAL PUBLIC LIBRARY - This matter was tabled to a future Board meeting.

DISCUSSION AND POSSIBLE APPROVAL OF ORDINANCE #450 AMENDING CHAPTER 275, SEWERS AND SEWAGE DISPOSAL OF THE CODE OF THE TOWNSHIP OF UPPER POTTSBROOK

- An Ordinance of the Upper Pottsgrove Township Board of Commissioners amending various Sections of Article I, Construction and Connection, of Chapter 275, Sewer and Sewage Disposal, of the Code of the Township of Upper Pottsgrove, as Amended. A motion by Dolan, seconded by Miller, to adopt Ordinance #450. All aye votes.

DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSED ROAD IMPROVEMENTS

- The Board discussed the proposed road improvements which include portions of East Horseshoe Drive, North Hanover Street (from Mervine Street to Hollenbach Park) and Hanover Drive. Commissioner Miller referenced a letter from David Hollenbach regarding the sinking of North Hanover Street as well as the numerous potholes and requested that Chris Hannum refer to Mr. Hollenbach's letter. Commissioner Miller expressed his concern regarding consistency of verbiage in the bidding process. He further stated it must read consistently; if not then that particular bid should not be accepted. After a brief discussion, a motion by Miller, seconded by Noll, to authorize the advertisement of bids for the proposed road improvements. All aye votes.

DISCUSSION AND POSSIBLE ACTION REGARDING SEWER ISSUES, I.E., METERING PROPOSAL AND LINE TELEVISIONING

- Attorney Garner reported that the township's present metering system has indicated significantly higher flows going into the Borough Authority's Treatment Plant resulting in notably higher costs for the township. Engineer, Chris Hannum, discussed a proposal for a new metering system as well as televising the lines within the Regal Oaks Development. Attorney Garner noted that additional data will be forthcoming.

OLD BUSINESS:

DISCUSSION AND POSSIBLE ACTION REGARDING THE PROPOSED LEVENGOOD ROAD MAINTENANCE AGREEMENT

- Attorney Garner explained that according to the proposed Maintenance Agreement Upper Pottsgrove Township will be solely responsible for all maintenance, repair and upgrades to the entire portion of Levengood Road, both within the boundaries of Upper Pottsgrove Township and West Pottsgrove Township. After further discussion, a motion by Miller, seconded by Noll, to approve and authorize the execution of the Road Maintenance Agreement subject to West Pottsgrove officials signing the Agreement and PennDot's approval of the turn back of Levengood Road. All aye votes.

DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED FIRE MARSHAL JOB DESCRIPTION

- Commissioner Taylor explained that the members of the Fire Committee wanted a better clarification with regards to the Fire Marshal's job description. Mr. Layne provided the members of the Board with a brief job description for the position. Commissioner Taylor noted that the Fire Marshal's job is an uncompensated position. Commissioners Miller and Spaide both suggested that there should be a requirement that the person is qualified to conduct fire investigations. Commissioner Noll recommended that the Fire Marshal provide fire fighting certification from the Montgomery County Fire Academy and that he follows the First Class Township Code in addition to the Pennsylvania Fire Code.

JOHN WEST - 1611 Applegate Lane - Requested clarification with regards to the amount of experience required for the position of Fire Marshal.

DISCUSSION AND POSSIBLE ACTION REGARDING PROPOSED REVISIONS TO THE FIRE COMPANY BY-LAWS - Commissioner Taylor reported that the Fire Committee has discussed revisions to the Fire Company By-Laws with respect to its Purpose, Membership and the procedure to amend the By-Laws. Further discussion and action was tabled to a future meeting.

COMMISSIONERS COMMENTS:

COMMISSIONER DOLAN - Stated he along with his daughter walked the trail at Sunset Park and stated he was impressed with the serenity and peacefulness of the surrounding area.

When **COMMISSIONER MILLER** questioned the Engineer regarding the status of the drainage improvements at D & D Collision; Mr. Hannum stated the project is finished. Commissioner Miller reiterated the seven (7) trees that are to be planted in the Coddington View Development and suggested this be done by October 15. Mr. Miller also noted that there are several trees that need to be replaced at the cell tower at Hillside and the dead ones removed by the end of this month. He also advised that there is a drainage problem between properties located at 239 and 241 Mangers Mill Road and PennDot should be contacted regarding the safety issue particularly during the winter months.

PAYMENT OF BILLS - August 15, 2011 - A motion by Dolan, seconded by Miller, to approve the Bill List dated August 15, 2011, for General Fund in the amount of \$63,081.50; Fire Fund in the amount of \$1,969.19; Sewer Fund in the amount of \$48,107.70; Capital Fund in the amount of \$4,636.94; Open Space Fund in the amount of \$505.45; State Fund in the amount of \$1,248.45 and Escrow Fund in the amount of \$2,452.50. Total Disbursements ~ \$122,001.73. All aye votes.

APPROVAL OF MINUTES - July 18, 2011 - A motion by Spaide, seconded by Dolan, to approve the minutes of the July 18, 2011, meeting as presented. All aye votes.

EXECUTIVE SESSION - At 8:08 P.M. Commissioner Taylor reported that the Board would be meeting in Executive Session to discuss a personnel matter, two matters of real estate acquisition and possible litigation. The meeting reconvened at 9:05 P.M.

PERSONNEL - A motion by Dolan, seconded by Miller, that the Board of Commissioners ratifies and approves the Police Chief's recommendation that a Police Officer be suspended. All aye votes.

ADJOURNMENT - A motion by Noll, seconded by Miller, to adjourn the meeting at 9:07 P.M. All aye votes.

Respectfully submitted,

Cynthia H. Saylor
Township Secretary