

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

April 3, 2007

A meeting of the Board of Commissioners was held on Tuesday, April 3, 2007, at the Upper Pottsgrove Township Administrative Office, 1409 Farmington Avenue, with Commissioners DeLena, Dolan, Iatesta and Taylor present. Commissioner Noll arrived during Executive Session. Also present were Solicitor Charles D. Garner, Jr., and Township Manager Jack P. Layne. Township Secretary Cynthia Saylor was absent. Mr. Taylor called the meeting to order at 7:35 P.M. There were 12 people present in the audience. Mr. Sloss advised that he was taping the meeting.

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:

CARL SPECHT - 150 Primrose Lane - Mr. Specht inquired as to whether the commissioners would be in agreement with a contractor working on their homes without their ability to change a decision made by that contractor that impacts on their homes. Mr. Specht then read the following statement: How many of you have had work done at your home? Did you tell the contractor what and how you wanted it done or did they tell you I will do it my way, you have no say in the decision to the work on your property?

October or November Joe Crowley, the contractor for the water installation came to my place to see how the job would have to be accomplished. We discussed the job and where the installation would come into the house. After going over the details I mentioned that at least they would not be tearing up the whole yard again as I had done a lot of work and landscaping after the sewer work and they were going to use a 10" trencher as we were told at the meetings on the installation. Marks were placed on the outside wall by Joe and myself and agreed this would be the entry point. I pointed out that there is an electrical conduit running to a post light but he said that was not a problem and I pointed out where the well is located. At that point he informed me they would not be using a trencher but a back hoe. I told him to hold off that I wanted to straighten this out with the Township as we were told only a 10" trench would come through the lawn. I had spent at least \$3,000 fixing and planting new shrubbery since the sewer laterals were installed.

I went to the Township to talk to Mr. Layne and Joe was there when I arrived so we discussed the problem. I was told that the contract was changed to the use of a back hoe so I reluctantly agreed to that and said they could go ahead as I had no choice. Joe said they would figure me in for a later date at that point. Sometime later the supervisor on the job told me they would do my property the between Christmas and New Year but they never showed up even though I moved everything in my shop so they could get in and work and it is still moved. I asked the supervisor a few days later what is happening and he said they would do the job in about three weeks and would let me know what day. At the time they planned to do the job we had a lot of rainy days and they said it was too wet so they would do it later, that was the last I heard. This past Monday, April 2, 2007 they were working in the area and I asked the supervisor once again when I was scheduled for hook up due to the rainy season coming on, he said I should call Joe.

CARL SPECHT CONT'D - I called Joe and he said the only way they were going to hook me up is through the front of my garage and un the water through the double garage to the back of the house and I had nothing to say how they do the work in my house, it was up to them and not the home owner and he would lose money on the job if he went around the outside of the house. Now that they are on the project they may have bid the job too low but no one ever came around to see what was required in each home before hand so it appears they want to cut some corners now. I took some measurements and there is little difference in the amount of back hoe work. It is not that it can't be done as the home on Heather Place, Mr. Adamski, has the same type hook up and they went around the back even though he had trees and shrubbery to work through and I have only lawn at that area so it can be done correctly at my place also. I have a full wood shop in half of the garage and don't want water pipes through the area and dropping water on my equipment on humid days. It would require approximately 50 to 60 feet of water line through the garage and only about 6 ft coming in the way it was originally figured.

After talking to Mr. Crowley it seems to me that questioning the use of the back hoe may have rubbed him the wrong way as the original meeting went well until I questioned why the trencher was not being used as originally planned and we were informed at the meetings. On Monday he was very vocal on the phone about not doing the job as originally planned and I have no choice how it is done in my own property.

If there is some additional cost to do this the correct way I am sure the Township can handle it as I understand the curing on Lotus Drive was installed at Township expense and we as home owners were told there would be no expense to the owner to do the water installation.

ROBERT SLOSS - 2097 Needhammer Road - Recommended that the Township hold up on paying All Types of Construction additional funds until the issues addressed by Carl Specht are resolved. Mr. Taylor stated that Township Manager, Jack Layne, would be reviewing this matter and making the appropriate decision based on the information provided.

NEW BUSINESS:

PROPOSED CIVIL SERVICE RULES - No action was taken on this matter other than the statement by Mr. Taylor that Solicitor Charles Garner would be reviewing the proposed Civil Service Rules prior to the next Board of Commissioners' meeting.

REQUEST BY T.H. PROPERTIES FOR PHASE IV ESCROW RELEASE - A motion by Dolan, seconded by DeLena, to approve a request by T.H. Properties for a Phase IV Escrow Release in the amount of \$10,686.14. All aye votes.

APPROVAL OF CONTRACT FOR THE TELEVISIONING OF REGAL OAKS SEWER LINES - Chris Hannum stated that LTL Consultants had checked on the past work completed by the apparent low bidder for the televising of the Regal Oaks Sewer Lines and that it was determined to be satisfactory.

REGAL OAKS SEWER LINES CONT'D - He added that the contract would involve the televising of all the sewer lines in the Regal Oaks sewer system and would take approximately two weeks to complete. A motion by Dolan, seconded by Iatesta, to approve a contract in the amount of \$7,147.22 for Video Pipe to televise the Regal Oaks Sewer Lines. All aye votes.

PROPOSED ORDINANCE PROHIBITING FALSE ALARMS AND ESTABLISHING A FALSE ALARM PROCEDURE - Commissioner Iatesta stated that he had requested that the Fire Committee consider the establishment of an ordinance that prohibited false alarms and established a false alarm procedure. The Commission opted to take no action at this time on this proposed ordinance until there was further review completed on the matter.

APPROVAL OF USE AND MAINTENANCE AGREEMENT WITH THE POTTS GROVE SCHOOL DISTRICT - Mr. Garner stated that the proposed Use and Maintenance Agreement with the Pottsgrove School District was ready for action. A motion by Dolan, seconded by DeLena, approving the Use and Maintenance Agreement with the Pottsgrove School District. All aye votes.

PUBLIC COMMENT - There was no additional public comment.

COMMISSIONERS COMMENTS:

Commissioner Iatesta stated that he and Commissioner Noll had recently attended a seminar on the utilization of pervious overlays. He stated that he would provide additional information on this seminar at a later date.

PAYMENT OF BILLS - A motion by Iatesta, seconded by Dolan, to approve the Bill List dated April 3, 2007, for General Fund in the amount of \$35,492.50; Fire Fund in the amount of \$2,995.00; Sewer Fund in the amount of \$1,231.93; Capital Fund in the amount of \$107,100.07 and State Fund in the amount of \$4,415.64. Total Disbursements - \$151,235.14. All aye votes.

APPROVAL OF MINUTES - A motion by DeLena, seconded by Dolan, to approve the February 20, 2007, meeting minutes as presented. All aye votes. A motion by Iatesta, seconded by DeLena, to approve the March 5, 2007, meeting minutes as presented. All aye votes.

EXECUTIVE SESSION - At 7:56 Mr. Taylor reported that the Board would be meeting in Executive Session to discuss matters involving personnel and real estate. The meeting reconvened at 9:24 P.M.

ADJOURNMENT - There being no further business, a motion by DeLena, seconded by Iatesta, to adjourn the meeting at 9:25 P.M. All aye votes.

Respectfully submitted,

Jack P. Layne, Township Manager