

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

January 7, 2008

The reorganizational meeting of the Board of Commissioners was held on Monday, January 7, 2008 at the Upper Pottsgrove Administrative Offices, 1409 Farmington Avenue, with Commissioners DeLena, Dolan and Noll present. Also present were Solicitor Gory Shantz, Township Manager Jack P. Layne, Township Secretary Cynthia Saylor and Chief of Police Bryan Ross. Mr. Shantz called the meeting to order at 7:20 P.M. There were 20 people present in the audience.

OATH OF OFFICE - Judge Palladino administered the oath of office to newly elected Commissioners Spaide and Taylor.

MOMENT OF SILENT PRAYER - Mr. Layne requested a moment of silent prayer 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.

NOMINATION FOR THE BOARD OF COMMISSIONER'S PRESIDENT - Attorney Shantz opened nominations for President of the Board of Commissioners. A motion by DeLena, seconded by Dolan, nominating Elwood Taylor as President. All aye votes. Nominations were closed.

NOMINATION FOR THE BOARD OF COMMISSIONER'S VICE PRESIDENT - Commissioner Taylor opened nominations for Vice President. A motion by Spaide, seconded by DeLena, nominating Russell Noll as Vice President. All aye votes. Nominations were closed.

PUBLIC COMMENT:

DARRYLE TILLMAN - 151 Rose Valley Road - Mr. Tillman read the following statement: First and foremost, congratulations to all on your recent election and inauguration on the Board. I speak to you tonight to discuss the recent budget approved for 2008 by the previous board. Although you may have not been a part of that board their actions require your immediate attention. The previous Board's decision to raise township taxes 62% with the reduction of services is reprehensible. It is not moral. It is not wise. It is financially irresponsible. And it is appalling to the intelligence to the people of Upper Pottsgrove. I hear by demand that this newly reorganized Board do reconsider the budget that does not increase taxes 62% with a reduction in service. There are approximately 21 days before our Township Treasurer sends out the tax bills for the year. You can change the errors of the past. You are obligated to do right with the peoples' money. Failure to right a wrong will force the people to do everything in our power to change your minds.

CARL SPECHT - 150 Primrose Lane - Expressed his concern with regards to the increase in sewer rates. Mr. Specht stated he spoke with the Township Manager regarding the borrowed money the Township took out for proposed sewer work and questioned where the money is that was borrowed. Mr. Specht expressed his concern that he as a sewer customer is paying to run water lines within the Township. Commissioner Taylor suggested Mr. Specht take a look at the sewer budget and it is very clear as to what the money is for. Mr. Specht stated the proposed sewer increase was originally advertised at \$170 per quarter and questioned whether it was readvertised when the rate was changed to \$180 per quarter. Mr. Layne noted the proposed sewer ordinance was readvertised.

GILBERT DUNCAN - 72 Hanover Drive - Questioned why the sewer users have to “bankroll” the rest of the township. Commissioner Taylor advised Mr. Duncan to look at the budget and stated that is not the case.

HENRY BEALER - 1382 Farmington Avenue - Questioned the amount of the Township’s sewer bills as opposed to the Borough of Pottstown’s sewer bills. Commissioner Taylor explained that the Township has a smaller user base than the Borough of Pottstown.

When **ROBERT SLOSS, 2097 Needhammer Road**, questioned the amount of money that is due to the Township from DEP; Mr. Layne stated approximately \$500,000.

LINDA DUNCAN - 72 Hanover Drive - Expressed her concern as to the rationalization of the sewer rates and noted that she pays the same quarterly rate and there are only two people living in her home as compared to her neighbor who has seven occupants.

CARL SPECHT - 150 Primrose Lane - Requested clarification with regards to sewer tapping fees paid by developers.

MICHELLE REDDICK - 1416 Kummerer Road - Explained that typically a developer will pay \$1,000 per lot upon execution of their developer’s agreement and an additional \$1,435 at the time they obtain their building permit.

When **ROBERT SLOSS, 2097 Needhammer Road**, questioned whether interest is being charged to DEP on the money owed the Township; Mr. Taylor stated “no”.

DARRYLE TILLMAN - 151 Rose Valley Road - Questioned whether the Board has considered creating a capital reserve fund.

REG LEISTER - 1693 Farmington Avenue - Reported that he along with Herb Miller and Gary Novack installed approximately half of the historical plaques last week.

ROBERT SLOSS - 2097 Needhammer Road - Questioned the financial status of the Township at the end of 2007. Commissioner Taylor stated we broke even in the General Fund and there is an approximate balance of \$40,000 - \$50,000 in the Sewer Fund

HENRY BEALER - 1382 Farmington Avenue - Provided a brief report on the number of police officers and number of square miles in the surrounding townships.

APPROVAL OF DESIGNATED 2008 TOWNSHIP APPOINTMENTS - A motion by Noll, seconded by DeLena, to approve the following appointments of Manager, Secretary, Solicitor, Engineer, Auditor, Zoning Officer, Animal Control Officer, Civil Service Committee, Pottstown Area Regional Planning Committee, Historical Committee, Sewer & Water Committee, Vacancy Board and Open Space Committee. All aye votes.

APPROVAL OF PROPOSED ORDINANCE # 421 ADDING ADMINISTRATIVE FEE ONTO MUNICIPAL CLAIMS FOR DELINQUENT ACCOUNTS - An Ordinance adopting an Administrative Fee to be added to the amounts collected as part of municipal claims for delinquent accounts. A motion by Dolan, seconded by DeLena, to adopt Ordinance #421. All aye votes.

CARL SPECHT - 150 Primrose Lane - Requested clarification with regards to administrative fees for delinquent accounts.

ROBERT SLOSS - 2097 Needhammer Road - Questioned what constitutes a delinquency.

MICHELLE REDDICK - 1416 Kummerer Road - Responded to Mr. Sloss's question and stated if a resident is \$400 in arrears the Board authorizes whether or not the account is forwarded to Portnoff Law for collections.

APPROVAL OF MONTGOMERY COUNTY PLANNING ASSISTANCE CONTRACT - A motion by DeLena, seconded by Spaide, to approve the Montgomery County Planning Assistance Contract. All aye votes.

APPROVAL OF RESOLUTION# 525 APPOINTING JOHN DAHDAH TO THE ZONING HEARING BOARD - A motion by Spaide, seconded by Noll, to appoint John DahDah to the Zoning Hearing Board for a three (3) year term. All aye votes.

APPROVAL OF RESOLUTION #526 APPOINTING WILLIAM HEWITT TO THE ZONING HEARING BOARD - A motion by DeLena, seconded by Spaide, to appoint William Hewitt as an alternate member of the Zoning Hearing Board for a three (3) year term. All aye votes.

HOUSE BILLS 1329 AND 1330 - There was a brief discussion about House Bill 1329 and 1330 with regards to Challenging Local Ordinances. A motion by Noll, seconded by DeLena, authorizing the Manager to send a letter to our representatives noting the Board's support of House Bills 1329 and 1330. All aye votes.

AUTHORIZATION TO SIGN AND FORWARD TAX ANTICIPATION NOTE DOCUMENTS - A motion by DeLena, seconded by Dolan, to authorize the Staff to execute the Tax Anticipation Note documents. All aye votes.

APPROVAL OF PROPOSED ORDINANCE #418 ESTABLISHING SEWER RATES - An Ordinance amending Chapter 275, Sewers and Sewage Disposal, of the Code of the Township of Upper Pottsgrove, as amended, for the purpose of amending sanitary sewer rental charges. A motion by Noll, seconded by DeLena, to adopt Ordinance # 418. Aye votes: DeLena, Dolan, Noll and Taylor. Abstain: Spaide. Motion carried.

APPROVAL OF HIGHVIEW II SUBDIVISION FINAL PLAN - Attorney Bruce Baldwin outlined his letter dated December 21, 2007, with regards to the Highview II Subdivision. There was discussion with regards to the completion of the detention basin and inclusion on the deeds of the easement restrictions to be reviewed by the Solicitor.

MICHELLE REDDICK - 1416 Kummerer Road - Suggested that the conditions regarding the Highview II Subdivision be outlined in the form of a resolution.

PUBLIC COMMENT:

REG LEISTER - 1693 Farmington Avenue - Expressed concern with regards to a commercial sign being placed in a residential area and questioned this would have been approved by the Township. Mr. Layne stated he would discuss the matter with the Zoning Officer.

PAYMENT OF BILLS - January 7, 2008 - A motion by DeLena, seconded by Noll, to approve the Bill List dated January 7, 2008, for General Fund in the amount of \$49,351.95; for Fire Fund in the amount of 43,076.73; for Sewer Fund in the amount of \$62,682.41; for State Fund in the amount of \$8,141.43; for Capital Fund in the amount of \$75,582.10 and Open Space Fund in the amount of \$775.00. Total Disbursements - \$199,609.62. All aye votes.

APPROVAL OF MINUTES - December 3, 2007 - A motion by Dolan, seconded by DeLena, to approve the minutes of the December 3, 2007, meeting as present. Aye votes: DeLena, Dolan, Noll and Taylor. Abstain: Spaide. Motion carried.

EXECUTIVE SESSION - At 8:35 P.M. Commissioner Taylor announced the Board would hold an Executive Session to discuss personnel issues and possible litigation. The meeting reconvened at 8:55 P.M.

ADJOURNMENT - A motion by Dolan, seconded by Noll, to adjourn the meeting at 8:57 P.M. All aye votes.

Respectfully submitted,

Cynthia H. Saylor
Township Secretary