

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

October 20, 2008

The meeting of the Board of Commissioners was held on Monday, October 20, 2008, at the Upper Pottsgrove Administrative Office, 1409 Farmington Avenue, with Commissioners DeLena, Dolan, Noll, Spaide and Taylor present. Also present were Township Solicitor Charles D. Garner, Jr., Township Manager Jack P. Layne and Township Secretary Cynthia Saylor. Mr. Taylor called the meeting to order at 7:02 P.M. There were 7 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 COMMENTS: None.

REPORTS:

EMERGENCY SERVICES - Commissioner Noll summarized the monthly Police Report and stated a copy of the report would be posted on the bulletin board.

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

PUBLIC WORKS REPORT - Commissioner Spaide reported the Highway Department has patched potholes throughout the Township; cleaned up excess material along Chestnut Grove Road from widening and paving project; cleaned up wash outs after heavy rains along Farmington Avenue and constructed additional steps along the Goose Run Trail.

PARKS, RECREATION AND OPEN SPACE - Commissioner Dolan reported the Stauffer property has been sold. He further reported that the Township has been chosen to receive a 2008 Green Futures Achievement Award from Montgomery County Lands Trust acknowledging our efforts in preserving open space.

ADMINISTRATION REPORT - Commissioner DeLena requested articles for the upcoming Newsletter.

ENGINEER'S REPORT - A copy of the Engineer's monthly report was posted on the bulletin board.

TOWNSHIP SOLICITOR'S REPORT - Attorney Chuck Garner reported the Township received a request from the Manager of Douglass Township to consider vacating a portion of Levengood Road. Mr. Garner explained that Levengood Road borders several properties owned by Waste Management. It was the consensus of the Board that vacating the road would not benefit Upper Pottsgrove Township. Mr. Layne reported he spoke with the Douglass Township Manager and was advised that the request to vacate the road originated from a Township resident and not the Township itself.

TOWNSHIP MANAGER - Mr. Layne expressed his thanks and appreciation to everyone associated with making Community Day a success; submitted a full grant application to the Pottstown Area Health and Wellness Foundation for funding of a Master Plan for the Prince/Austerberry properties; provided information on the Goose Run Trail and the proposed Sprogels Run Trail at the Schuylkill River Festival. Commissioner Dolan expressed his thanks to Jack Layne and Herb Miller for their participation in the Schuylkill River Festival.

MONTHLY FINANCIAL REPORTS - Copies of the monthly Financial Reports were provided to the members of the Board in their mail packets. Mr. Layne reported the next Budget Meeting will be held on Monday, October 27, 2008 at 7:00 P.M.

NEW BUSINESS:

RESOLUTION #539 - APPROVAL OF PROPOSED MASTER CASTING AGREEMENT WITH PENNDOT - A motion by Dolan, seconded by DeLena, to approve the proposed Master Casting Agreement with PennDot. All aye votes.

DISCUSSION REGARDING SENATE BILL NO. 884 SPECIFYING THAT MUNICIPALITIES SHALL REASONABLY ACCOMMODATE AMATEUR RADIO SERVICE COMMUNICATIONS - There was a brief discussion pertaining to Senate Bill #884 regarding amateur radio service communications.

APPROVAL OF PHASE III ADDENDUM TO FINANCIAL SERVICE AGREEMENT FOR CODDINGTON VIEW - Attorney Garner reported T.H. Properties is interested in replacing the letter of credit used as financial security for Phase III of the Coddington View Development. Mr. Garner explained T.H. Properties would provide the Township with a bond to replace the letter of credit as well as a letter from Willow Financial stating that the bond amount is secured by cash held by the bank. He further explained the amendment is similar to those for Phases I and II. A motion by Noll, seconded by Spaide, to approve and authorize the execution of an amendment to the Financial Security Agreement for Phase III of Coddington View in a form acceptable to the Township Manager and the Solicitor. All aye votes.

ROBERT SLOSS - 2097 Needhammer Road - Addressed the Solicitor and questioned what type of security was in place prior to implementing the first amendment to T.H. Properties. Attorney Garner stated the original security was a letter of credit with the bank and they asked to replace it with a bond in addition there is money held in the bank. When Mr. Sloss questioned what is more secure; Attorney Garner stated the best form of security is cash, the second best is a letter of credit and a bond is third. Mr. Sloss expressed his concern that the Township would be setting precedence. Mr. Garner explained that the Planning Code states that the Township must accept letters of credit, cash, bonds or other means of financial security.

OTHER PUBLIC COMMENT:

RAYMOND FIZZ - 1750 Farmington Avenue - Questioned the status of the Farmington West Sewer Project. Commissioner Taylor stated the Township has been "stressed" with having to handle numerous sewer related issues all at once.

COMMISSIONER TAYLOR - Reported there was a staff meeting today with representatives from PennDot and McMahon Associates. He further reported that PennDot has asked whether the Township would consider allowing the new intersection at Route 100 and State Street to be outfitted with a special signaling system which would allow for a more efficient intersection. Mr. Taylor explained that the only problem is that the people designing the new technology are from Kansas and the Township would be one of the first installations on the East Coast.

Formatted: Font: Not Bold, No underline, Font color: Black

PAYMENT OF BILLS - October 20, 2008 - A motion by DeLena, seconded by Dolan, to approve the Bill List dated October 20, 2008 for General Fund in the amount o \$48,059.27; Fire Fund in the amount of \$2,056.09; Sewer Fund in the amount of \$12,289.29; Capital Fund in the amount of \$27,783.84; Open Space Fund in the amount of \$3,172.77; State Fund in the amount of \$791.71 and Escrow Fund in the amount of \$453.47. Total Disbursements - \$94,606.44. All aye votes.

Deleted: ¶

COMMISSIONER DOLAN - Questioned the invoice from People Share. Mr. Layne explained that People Share is the Temporary Agency that is providing the secretarial support for the Police Department. When Commissioner Dolan questioned the time frame for their services; Mr. Layne stated that decision would be up to the new Police Chief once he is on board.

COMMISSIONER SPAIDE - Questioned the invoice from LTL Consultants as compared to the monthly Engineer’s Report and noted a lot of the information listed on the Engineer’s Report dates back to August. Mr. Layne stated he would provide Commissioner Spaide with a copy of the invoice that provides a summary of the engineering and/or inspections on every current project.

ROBERT SLOSS - 2097 Needhammer Road - Questioned whether there is an “end date” with Dallas Data Systems. Commissioner Taylor stated he anticipates that the Township will either need to hire someone full time to handle the data and accounting or will continue with Dallas Data Systems on an “as needed” basis to help with the accounting process. He further stated the Township has a lot more going on than a “pure bookkeeper” can keep track of. Commissioner DeLena noted that with Dallas Data Systems you have many people with a lot of different skills being able to help out at any time versus hiring one individual with all those skills. Mrs. DeLena stated she personally feels that Dallas Data is a very efficient use of our money. Mr. Sloss questioned why the Township needs Cindy as the bookkeeper when we have Dallas Data Systems. Mr. Taylor explained that a bookkeeper enters data where as Dallas Data interprets, creates, manages and recommends. Commissioner DeLena stated the accounting is quite complicated and in her opinion it is money well spent to keep our books in an order that is easily explained to the public as well as the Commissioners it is vital to the proper running of the Township. Mr. Sloss expressed his concern that the Township is wasting taxpayer’s money. Mr. Sloss further questioned the invoice from LTL Consultants and the amount of money the Township is paying them on an annual basis. Commissioner Taylor stated the developers reimburse the Township for engineering costs, inspections and fees. Mr. Taylor further stated that a lot of the expenses depicted on LTL’s invoice are sewer related and we are planning a multi million dollar projects coming up in the next year that will require hundreds of thousands of dollars in engineering costs.

Deleted: ¶

APPROVAL OF MINUTES - September 29, 2008 - A motion by Dolan, seconded by DeLena, to approve the minutes of the September 29, 2008, meeting as presented. All aye votes.

APPROVAL OF MINUTES - October 6, 2008 - A motion by Spaide, seconded by Noll, to approve the minutes of the October 6, 2008, meeting as presented. All aye votes.

EXECUTIVE SESSION - At 7:40 P.M. Commissioner Taylor announced there would be an Executive Session to discuss potential real estate acquisition, pending litigation and a personnel matter. The meeting reconvened at 8:52 P.M. with no decisions being made.

ADJOURNMENT - There being no further business, a motion by Spaide, seconded by DeLena, to adjourn the meeting at 8:53 P.M. All aye votes.

Respectfully submitted,

Cynthia H. Saylor
Township Secretary