

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

**June 15, 2009**

A meeting of the Board of Commissioners was held on Monday, June 15, 2009, at the Upper Pottsgrove Township 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 7:00 P.M. There were 12 people present in the audience.

**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:**

**ROBERT SLOSS - 2097 Needhammer Road** - Expressed his concern that the members of the Board were paid more than what was budgeted in 2008 and questioned whether they voted themselves a raise. Commissioner Taylor assured Mr. Sloss that the Commissioners did not receive a raise. Mr. Layne stated he would look into the matter.

**KEITH KEHL - 1941 Gilbertsville Road** - Questioned whether the Township could paint white lines along Gilbertsville Road in an effort to slow down traffic. Mr. Kehl also questioned who is responsible for taking down the flags marking where the water lines will be installed. Mr. Layne stated the contractor is responsible and noted he would look into the matter. Commissioner Taylor noted there has been a lot of construction along Gilbertsville Road over the last year, between the water line and the sewer installation, however, when the construction work is finished the contractor is responsible for "cleaning up."

**REPORTS:**

**EMERGENCY SERVICES REPORTS** - Commissioner Noll reported the Fire Committee will meet on Thursday, June 18, 2009. He further reported the Fire Company will sponsor a chicken barbeque later in the month and encouraged support from the residents. Mr. Noll stated copies of the monthly reports would be posted on the bulletin board.

**PLANNING AND ZONING REPORT** - Commissioner Taylor reported the Planning Commission met and discussed the Zoning Hearing application submitted by the Thompson's for a recycling center.

**PUBLIC WORKS REPORT** - Commissioner Spaide reported the Highway Department has been trying to prepare road for the 2009 Paving Program; patched and compacted potholes along Mock Road, Rose Valley Road, Maple Leaf Lane, Mimosa Lane, Hollyberry Court, North Hanover Street and Broadmoor Road, provided vehicle maintenance to the police cars, provided routine maintenance to the Police Department and Public Works Office and continued mowing all township owned properties.

**PARKS, RECREATION AND OPEN SPACE REPORTS** - Commissioner Dolan provided a brief update with regards to the purchase of 1401 North Charlotte Street.

**TOWNSHIP ENGINEER'S REPORT** - It was noted that a copy of the monthly Engineer's Report would be posted on the bulletin board.

**TOWNSHIP SOLICITOR'S REPORT** - Attorney Garner provided a brief update with regards to TH Properties and Coddington View Development. Mr. Garner reported that he is negotiating with Superior Water with regards to the easement they are seeking from the Township and noted he hopes to have something for the Board for the July meeting. With regards to PENNVEST the Township has been having weekly conference calls with representatives from PENNVEST and is "on track" to meet the deadline to close this Friday, June 19<sup>th</sup>.

In response to a question from **ROBERT SLOSS, 2097 Needhammer Road**, regarding TH Properties, Attorney Garner responded that out of 218 units over 50% of the homes are constructed. He further stated that a lot of the infrastructure improvements are in the ground and the biggest thing that is missing is the top coat on the roads. When Mr. Sloss questioned whether there is enough money in bonds to cover the other 50% of the project; Mr. Garner stated "yes."

**TOWNSHIP MANAGER'S REPORT** - Mr. Layne reported he provided PENNVEST loan program information and updates for submittal to PENNVEST program staff as well as to Senator John Rafferty, Representative Thomas Quigley and Congressman Charles Dent; assisted in efforts to obtain needed easements for Regal Oaks Pumping Station and Farmington Avenue West Projects, coordinated Table-Top Preliminary Exercise on July 30, 2009, in preparation for the Limerick Generating Station Emergency Management Exercise in November, and received a \$500 donation from the Chestnut Grove Homeowners' Association for the purchase of a park bench for Heather Place Park. Mr. Layne reported that the new "Bed, Bath, and Beyond" in the Upland Square Shopping Center is scheduled to open on Tuesday, June 16<sup>th</sup>. He further reported that he along with Chief Moffett met with the public safety officials from West Pottsgrove Township to discuss the intersection and how to handle an emergency or catastrophe.

When **ROBERT SLOSS, 2097 Needhammer Road**, questioned the status of the audit report; Mr. Layne stated it would be available shortly.

When **KEITH KEHL, 1941 Gilbertsville Road**, questioned whether Sell Road would remain open; Mr. Layne stated he would look into the matter.

**MONTHLY FINANCIAL REPORT** - Copies of the Monthly Financial Reports were provided the members of the Board in their meeting packets.

**NEW BUSINESS:**

**PRESENTATION BY MIKE PACKARD, EXECUTIVE DIRECTOR, REGARDING THE POTTSTOWN PUBLIC LIBRARY** - Commissioner Taylor advised that Mr. Packard was unable to attend tonight's meeting to make his presentation. This matter was tabled to a future meeting.

**PUBLIC COMMENT:**

**KEITH KEHL - 1941 Gilbertsville Road** - Referenced an article that appeared in the newspaper regarding raising the sales tax to 7% to help lower property taxes and the possible elimination of the nuisance taxes. Commissioner Noll stated the nuisance taxes include the occupation privilege tax, per capita taxes, and the local services tax.

**ROBERT SLOSS - 2097 Needhammer Road** - Referenced recent articles that appeared in the newspaper about the Borough of Pottstown and expressed his concern regarding their financial status. Mr. Sloss further expressed his concern that because Upper Pottsgrove's sewer is treated by the Borough (the Township) may be looking at future increases in our sewer treatment fees.

**AUSTIN COLE - 1409 North Charlotte Street** - Expressed concern regarding the intersection of Orlando Road and Route 663 and reported the cars do not stop at the stop sign.

**ROBERT SLOSS - 2097 Needhammer Road** - Expressed his concern that the speed limit is not posted on Orlando Road.

**COMMISSIONER COMMENTS:**

**COMMISSIONER DOLAN** - Provided a brief update with regards to the Regionalization of the Police force and noted things are moving forward.

**APPROVAL OF BILL LIST - June 15, 2009** - A motion by Noll, seconded by DeLena, to approve the Bill List dated June 15, 2009, for General Fund in the amount of \$28,880.85; Fire Fund in the amount of \$2,463.20; Sewer Fund in the amount of \$17,424.66; Open Space Fund in the amount of \$1,316.27; Capital Fund in the amount of \$25,056.57; State Fund in the amount of \$3,438.48; and Escrow Fund in the amount of \$812.33. Total Expenditures - \$79,392.36. All aye votes.

**APPROVAL OF MINUTES - June 1, 2009** - A motion by Spaide, seconded by DeLena, to approve the minutes of the June 1, 2009, meeting as presented. All aye votes.

**EXECUTIVE SESSION** - At 7:30 P.M. Mr. Taylor announced the Board would be meeting in Executive Session to discuss one matter of real estate, two matters of pending litigation and one matter of potential litigation.

**REGAL OAKS TREATMENT FACILITY** - After a brief discussion regarding a recent chlorine leak at the Regal Oaks Treatment facility that resulted in a small number of fish being killed, a motion by DeLena, seconded by Dolan, to approve and authorize the execution of the Assessment and Settlement Agreement with the Department of Environmental Protection and the Pennsylvania Fish and Boat Commission. All aye votes.

**ADJOURNMENT** - There being no further business, a motion by Spaide, seconded by DeLena, to adjourn the meeting at 8:43 P.M. All aye votes.

Respectfully submitted,  
Cynthia H. Saylor  
Township Secretary