

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

November 21, 2011

A meeting of the Board of Commissioners was held on Monday, November 21, 2011, at the Upper Pottsgrove Township Administrative Office, 1409 Farmington Avenue, with Commissioners Dolan, Miller, Noll, Spaide and Taylor present. Also present were Township Manager Jack P. Layne, Jr., Police Chief William A. Moffett, Township Engineers Chris Hannum and Pete Eisenbrown, Public Works Director Frank Quinter and Township Secretary Cynthia Saylor. Commissioner Spaide called the meeting to order at 7:00 P.M. There were 8 people present in the audience. Commissioner Spaide explained that Commissioner Taylor would be arriving late due to parent/teacher conferences at the Pottsgrove Middle School.

MOMENT OF SILENCE - Commissioner Spaide 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:

JOHN WEST - 1611 Applegate Lane - Extended his congratulations to Commissioners Taylor and Spaide for their victory during the recent election. Mr. West advised the members of the Board that he will be recording the meetings and noted that he has created a website entitled onevoice-upt.com for the community especially for those residents who are unable to attend the monthly township meetings.

MARTIN SCHREIBER - Referenced the December 18, 2008, Fire Committee minutes whereby it states that the lease on the truck would be in the amount of \$36,000 and currently \$48,000 is budgeted. When Mr. Schreiber asked if anyone could explain the \$12,000 discrepancy; Mr. Layne explained that the \$12,000, which was at the request of Mr. Schreiber, was approved at a Fire Committee meeting and includes the added cost for the PEMA loan. After further discussion; Commissioner Noll stated he would look into the matter. Mr. Schreiber stated there is an additional \$50,000 built into the loan and asked how the Fire Committee could let this happen. In another matter, Mr. Schreiber stated the Fire Company was asked to pay \$500 for repairs made to the firehouse floor and noted that there is a discrepancy in the July meeting minutes of the Board of Commissioners regarding this issue.

REPORTS:

EMERGENCY SERVICES REPORT - Commissioner Noll reported the Fire Committee met on Thursday, November 17, 2011. He further reported copies of the monthly Police Report and Fire Committee Report would be posted on the bulletin board. Commissioner Noll stated that the Fire Company will be holding a "boot drive" on Friday, November 25, 2011 at the Halfway House intersection. Mr. Noll expressed his thanks and appreciation to Mr. Layne and Mr. Leister as well as all those who participated in the Emergency Management Drill which was held on November 15, 2011.

PLANNING & ZONING REPORT - Commissioner Miller stated that the Planning Commission did not meet this month.

PUBLIC WORKS REPORT - Commissioner Spaide reported that the Highway Department salted, cindered and plowed after the October 30th and October 31st snow storm; cleaned up downed trees, branches and other debris for the storm inlets from the heavy wet snow; hauled fuel to the Regal Oaks pump station for seven (7) days as generator would not stop running due to MET ED malfunction and called MET ED on numerous occasions to resolve 3 phase power issues at the Regal Oaks pump station. Commissioner Spaide noted the monthly Highway Report would be posted on the bulletin board.

PARKS, RECREATION AND OPEN SPACE REPORT - Commissioner Miller reported that an Eagle Scout will be building park benches in the township parks as part of his Eagle Scout project. Mr. Miller also reported that there are numerous trees and branches that were damaged during the recent storms which will require a team of volunteers to help with the cleanup.

DENNIS ELLIOTT - 576 Evans Road - Reported that a recent Park, Recreation and Open Space meeting, Greg Biagini approached the Committee regarding the possible acquisition for a new baseball field for the Pottsgrove Little League.

TOWNSHIP ENGINEER REPORT - Engineer Pete Eisenbrown reported a copy of the monthly report will be posted on the bulletin board.

TOWNSHIP SOLICITOR - Attorney Garner noted that all of his monthly activities will be discussed during the meeting agenda.

TOWNSHIP MANAGER - Mr. Layne reported he assisted in coordinating efforts regarding ongoing Police Department contract negotiation; supported efforts that assisted in reducing the PENNVEST loan amortization rate by approximately \$8,000 per month beginning on December 1, 2011; supported efforts to hire a part-time Police Officer that will help scheduling efforts; and coordinated emergency operations efforts with County Public Safety Staff and the Township's Emergency Management Team in preparation for the successful November 15, 2011, Limerick Generating Station Exercise.

MONTHLY FINANCIAL REPORTS - Mr. Layne reported that as of October 31, 2011, the Township has received 81.5% of the budgeted revenues and spent 80.2% in expenditures.

COMMISSIONER NOLL - Expressed his concern that the township is collecting less per capita taxes than real estate taxes. Mr. Layne explained that the real estate transfer taxes have drastically decreased. He further noted that we budgeted \$90,000 and to date we have only collected \$45,000.

NEW BUSINESS:

DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSAL TO PROVIDE FISCAL AUDITING SERVICES FOR THE TOWNSHIP FOR THE YEAR ENDING DECEMBER 31, 2011 FOR A COST NOT TO EXCEED \$16,000 - A motion by Dolan, seconded by Miller, to approve the proposal from Reinsel Kuntz & Leshar to provide auditing services for the year ending December 31, 2011 at a cost not to exceed \$16,000. All aye votes.

When **JOHN WEST, 1611 Applegate Lane**, questioned how many quotes the township received from other auditing firms; Mr. Layne stated three.

DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSAL TO CONTRACT WITH PAETEC ENERGY SOLUTIONS FOR SUPPLYING ELECTRIC SERVICES - A motion by Noll, seconded by Dolan, to approve a proposal to contract with PAETEC Energy Solutions for supplying electric services for a period of twelve (12) months. All aye votes.

DISCUSSION AND POSSIBLE AUTHORIZATION TO ADVERTISE AN ORDINANCE TO ACCEPT THE WOODBROOK ROAD DEDICATION - Attorney Garner reported that during the last several months the office staff has been working with the developer of the Woodbrook townhomes residential project to try and clean up the punch list items that have been outstanding for a number of years. He further reported that the Township is getting very close to being in a position to accept the roadways for formal dedication. Commissioner Noll clarified that the ordinance includes only the dedication of roads and questioned how the Township will address the other outstanding issues that have not been completed. Attorney Garner explained there is an issue regarding the lack of street lights within the development. After further discussion, a motion by Dolan, seconded by Miller, to authorize the Solicitor to advertise an ordinance to accept the Woodbrook Road dedication. All aye votes.

JOHN WEST - 1611 Applegate Lane - Asked if the street lights are not installed and the homeowners' association agree that the residents do not want them (street lights) will there be a legal document drawn up whereby the residents sign off. Attorney Garner stated all the Township can do is to send a certified letter with the information asking if the residents have any objection to not having street lights. He further stated that the lack of a response or silence is an acceptance in that case.

OLD BUSINESS:

DISCUSSION AND POSSIBLE APPROVAL OF THE PROPOSAL TO PURCHASE NEW SEWER METERS - Engineer Chris Hannum provided a brief outline of the proposal to purchase new sewer meters. Mr. Hannum referenced the letter from LTL Consultants dated November 17, 2011, and noted that it is their recommendation that the Township enter into the 60-month lease option with the Hach Company for a total of \$172,000. Mr. Hannum noted that the sewer meters currently used by the township are at least two years beyond their "life expectancy."

SEWER METERS CONT'D - After discussion, a motion by Dolan, seconded by Noll, to enter into a five-year lease agreement for new sewer meters subject to the execution of a Lease Agreement in a form acceptable to the Engineer and Solicitor as well as approval of the Borough Authority. In response to a question from Commissioner Noll regarding the number of meters the township currently has in use; Mr. Hannum stated six. When Commissioner Noll questioned what fund the expenditure would be paid; Mr. Layne stated the initial lease payment would be expended from the Capital Fund; however on-going maintenance would be expended from the Sewer Fund. All aye votes. Mr. Layne explained that this is part of the Corrective Action Plan with the Borough of Pottstown and noted the penalties the Township would incur from the Borough exceed \$160,000. He further noted that this is a way to resolve the Township's inflow and infiltration issue.

In response to a question from **JOHN WEST, 1611 Applegate Lane**, Mr. Hannum clarified that if one of the meters goes bad it would be replaced at no charge. Mr. Hannum explained that the Township does not own the meters; only the data that comes from the meters.

DISCUSSION REGARDING THE PROPOSED 2012 ANNUAL BUDGET - It was noted that currently the proposed 2012 budget has a shortfall in the amount of \$78,906.00. Commissioner Noll suggested several options in an effort to reduce the deficit within the proposed 2012 budget. Commissioner Noll recommended decreasing the proposed budgeted amount regarding computer system maintenance. Commissioner Dolan suggested the township investigate an off-site backup procedure. After a lengthy discussion; a motion by Noll, seconded by Dolan, to authorize the advertisement of the tentative 2012 Annual Budget. Aye votes: Dolan, Noll, Spaide and Taylor. Opposed: Miller. Motion carried.

OTHER PUBLIC COMMENT:

JOHN WEST - 1611 Applegate Lane - Questioned if and how the Public Works Department tracks time spent on specific projects.

DENNIS ELLIOTT - 576 Evans Road - Asked if the members of the Board would consider abolishing property taxes and institute a flat tax across the board.

COMMISSIONERS COMMENTS:

COMMISSIONER DOLAN - Addressed Mr. John West, who was in the audience, and expressed his concern that he (Mr. West) was under the impression that the current Board members did not like him. Mr. Dolan stated he was referring to a comment made by Mr. West on Election Day and wanted to assure him that this is not the case.

COMMISSIONER MILLER - Requested clarification with regards to an invoice from Signal Service who maintains the Township's traffic lights. In another matter; Commissioner Miller asked Public Works Director, Frank Quinter, if he utilizes D & D Collision for the repairs on the township trucks. Commissioner Miller noted that the trees have been planted at Coddington View; however he expressed concern regarding unfinished pavements.

PAYMENT OF BILLS - A motion by Dolan, seconded by Spaide, to approve the Bill List dated November 21, 2011, for General Fund in the amount of \$39,657.65; Fire Fund in the amount of

\$2,691.53; Sewer Fund in the amount of \$23,511.02; Capital Fund in the amount of \$89,455.29; State Fund in the amount of \$1,008.39; Open Space Fund in the amount of \$1,413.45 and Escrow Fund in the amount of \$1,883.91. Total Disbursements \$159,621.30. All aye votes.

GREG CHURACH - 144 Snyder Road - Questioned whether the Township could be reimbursed from Met-Ed for the \$1,000 fuel expense with regards to the Regal Oaks pump station. Mr. Layne said he would look into the matter.

APPROVAL OF MINUTES - November 7, 2011 - A motion by Spaide, seconded by Dolan, to approve the minutes of the November 7, 2011, meeting as presented. All aye votes.

EXECUTIVE SESSION - At 8:40 P.M. Commissioner Taylor stated the Board would be meeting in Executive Session to discuss matter of real estate with no action being taken. The meeting reconvened at 9:11 P.M.

ADJOURNMENT - There being no further business, a motion by Dolan, seconded by Spaide, to adjourn the meeting at 9:12 P.M.

Respectfully submitted,

Cynthia H. Saylor,
Township Secretary