

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

**January 12, 2005**

The meeting of the Board of Commissioners was held on Wednesday, January 12, 2005, at the Upper Pottsgrove Township Administrative Office, 1409 Farmington Avenue, with Commissioners Gallisdorfer, Noll, Schaeffer and Taylor present. Also present were Solicitor Charles D. Garner, Jr., Township Manager Michael A. Cotter and Township Secretary Cynthia Saylor. Mr. Taylor called the meeting to order at 7:00 P.M. There were 15 people present in the audience. Mrs. Reeves was unable to attend the meeting.

**EXECUTIVE SESSION** - Mr. Taylor announced the Board met in Executive Session prior to the meeting to discuss matters of litigation; however no decisions were made.

**MOMENT OF SILENT PRAYER** - Mr. Taylor 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.

**PUBLIC COMMENT:HENRY BEALER - 1382 Farmington Avenue** - Suggested installing a "deer crossing" sign along Farmington Avenue due to the increased deer population in the area. Mr. Cotter noted the Township is looking into signage.

**GILBERT DUNCAN - 72 Hanover Drive** - Questioned whether the Township is looking into opening a new Fire Company - Upper Pottsgrove Fire Company #2. Mr. Cotter advised the Township will evaluate all options with regards to providing fire protection to the Township residents.

**REGINALD LEISTER - 1693 Farmington Avenue** - Expressed his concern regarding the deteriorating fire apparatus and the lack of maintenance to the trucks. Mr. Cotter stated the fire trucks will be "run" on a regular basis.

**FINANCIAL REPORT** - Mr. Cotter provided a brief summary of the end of the year fund balances. Mr. Cotter noted a copy of the 2005 budget will be available for the public in the administrative office.

**PROPOSED AMENDMENT TO CIVIL SERVICE RULES & REGULATIONS** - Mr. Leister, Secretary of the Civil Service Committee, explained the proposed amendment to the Civil Service Rules and Regulations which addresses first and second line supervisory promotions. Mr. Cotter noted the proposed amendment would be discussed with the Police Department and Labor Counsel prior to the Board taking any official action.

**PLANNING COMMISSION APPOINTMENT - John Bealer** - A motion by Schaeffer, seconded by Noll, appointing John Bealer to the Planning Commission for a four (4) year term. All aye votes. Appointments - Mr. Taylor announced the Board is accepting applications for a vacant position on the Vacancy Board, an Emergency Management Coordinator and a Fire Marshal.

**ORDINANCE # 376** - An Ordinance Amending Section 401, Part 4 of the Codified Ordinances, Compensation and Salaries, to Amend the Basis for Calculating Commissioner Compensation. A motion by Gallisdorfer, seconded by Schaeffer, to adopt Ordinance #376. All aye votes.

**ROBERT SLOSS - 2047 Needhammer Road** - Requested clarification regarding calculating the Commissioner's compensation.

**ORDINANCE # 377 - Stormwater Management** - An Ordinance to Comply with the New Federal Stormwater Management Regulations; to Prohibit Non-Stormwater Discharges and Connections; to Institute Best Management Practices for Erosion and Sedimentation Control Plans and Stormwater Management Plans; to Institute Best Management Practices for Runoff Control; to allow Consideration of Additional Alternative Runoff Control Measures and Best Management Practices; to Require Best Management Practices for Post-Construction Stormwater Runoff Controls for New Development and Redevelopment; to make any Violation of the Stormwater Ordinance a Public Nuisance; to Provide Enforcement Measures which include Suspension and Revocation of Permits and Approvals and Other Penalties in accordance with Law; and to Regulation Earth Disturbance Activities. A motion by Gallisdorfer, seconded by Schaeffer, to adopt Ordinance #377. All aye votes.

**RESOLUTION #437** - A Resolution authorizing the salary for the Township Secretary at \$17.50 per hour effective April 1, 2005. A motion by Noll, seconded by Gallisdorfer, to adopt Resolution #437. All aye votes.

**ORDINANCE #378** - Appointing Reinsel & Associates as the Township's Independent Auditor - A motion by Schaeffer, seconded by Gallisdorfer, to authorize the advertisement of the proposed ordinance appointing Reinsel & Associates as the Township's Independent Auditor. All aye votes.

When **ROBERT SLOSS, 2047 Needhammer Road**, questioned the cost of performing the audit and whether the expenditure was included in the 2005 budget; Mr. Cotter stated the cost would be \$6,800 and the expense was included in the budget. In response to a question from John Bealer - 1521 Farmington Avenue, Mr. Cotter clarified the cost of the audit is not to exceed \$6,800.

**HOLLENBACH PARK IMPROVEMENT PROJECT** - Mr. Cotter reported the Township has \$10,000 in grant money to spend on improvements at Hollenbach Park. He further reported the Park and Recreation Committee has made the following recommendations: install a routed wooden sign spelling out "Hollenbach Park", grade and stone the existing farm lane; and to grade and install a concrete slab for the placement of a picnic pavilion. A motion by Gallisdorfer, seconded by Schaeffer, to accept the recommendations from the Park and Recreation Committee as improvements to the Hollenbach Park Project. All aye votes.

**DELINQUENT SEWER ACCOUNT** - A motion by Gallisdorfer, seconded by Noll, to authorize Portnoff Law Associates to proceed with the filing of a Writ of Execution for the unresolved delinquent sewer account referenced in their letter dated December 6, 2004. All aye votes.

**ZHB #6-04 STEVEN & ANNA BURRY** - The applicant has filed an appeal with the Zoning Hearing Board is requesting a special exception and variance. The property is situated in the split zoned - CO and R-2 District and is located at 1577 Farmington Avenue. The applicant has requested a special exception under Section 303 C of the Zoning Ordinance to allow certain uses as set forth in Section 1202 (L) single family residence; Section 1202 (A) retail sales; Section 1202 (H) new auto sales and service in connection therewith; and Section 1202 (M), gasoline service stations and other highway oriented commercial activities when authorized by special exception on a minimum lot size of thirty thousand square feet. The applicant requests that the Board recognize the commercial use on the property for tire sales and repairs under Section 1603 (D) as a special exception, allowing expansion of the non-conforming commercial use of the lot to include auto and light truck sales and repairs and towing service. The applicant requests variances from the provisions of Part 8 and Part 12 to allow the proposed use. The Board is also requested to find that the applicant has a vested right or is entitled to a variance by estoppel to use the property as proposed. A public hearing was rescheduled from January 6, 2005 to February 24, 2005. After a brief discussion, the Board agreed to take no official action.

**DIANA UPDEGROVE - 1404 Farmington Avenue** - Expressed concern regarding the lack of road frontage.

**RESOLUTION #438** - Designating Fulton Bank as a Township depository for payroll purposes. A motion by Schaeffer, seconded by Gallisdorfer, to adopt Resolution #438. All aye votes.

**APPROVAL OF BILL LIST - January 12, 2005** - A motion by Gallisdorfer, seconded by Noll, to approve the Bill List dated January 12, 2005 for General Fund in the amount of \$47,882.95; Fire Fund in the amount of \$5,708.75; Sewer Fund in the amount of \$1,900.52 and State Fund in the amount of \$144.35. Total Expenditures - \$55,636.57. All aye votes.

**ROBERT SLOSS - 2047 Needhammer Road** - Questioned payments to Graber Lettering, Michael Cotter and Utility Rates Analysts.

**DAVID M. COOK - Resignation** - Commissioner Taylor reported David M. Cook has submitted a letter of resignation from the Police Department. A motion by Gallisdorfer, seconded by Schaeffer, to accept the letter of resignation submitted by David M. Cook. All aye votes.

**COMMISSIONER SCHAEFFER** - Expressed concerns regarding the enforcement of property maintenance codes, illegal signs within the Township and excessive amount of trash and litter along the roads.

**JOHN BEALER - 1521 Farmington Avenue** - Questioned whether the Township adopted the new maintenance codes. Mr. Cotter stated he would look into the matter.

**EXECUTIVE SESSION** - At 8:25 P.M. Mr. Taylor announced the Board would meet in Executive Session to discuss a personnel matter and possible litigation with no decisions being made. The meeting reconvened at 9:10 P.M.

ADJOURNMENT - There being no further business the meeting adjourned at 9:15 P.M.

Respectfully submitted,



Cynthia H. Saylor  
Township Secretary

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