

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

January 24, 2005

The meeting of the Board of Commissioners was held on Monday, January 24, 2005, at the Upper Pottsgrove Township Administrative Office, 1409 Farmington Avenue, with Commissioners Gallisdorfer, Noll, Reeves, Schaeffer and Taylor present. Also present were Township Engineer John Toomey, Township Solicitor Charles D. Garner, Jr., Township Manager Michael A. Cotter and Township Secretary Cynthia Saylor. Mr. Taylor called the meeting to order at 7:10 P.M. There were 8 people and a Mercury reporter present in the audience.

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:

There was no public comment from the audience.

POLICE REPORT - It was noted that a copy of the monthly Police Report would be posted on the bulletin board.

PUBLIC WORKS DEPARTMENT - Mr. Cotter expressed his thanks and appreciation to the Road Crew for the great job in clearing the township roads during the weekend snowstorm. The members of the Board concurred with Mr. Cotter.

BUILDING INSPECTION AND CODE REPORT - Commissioner Taylor requested a clarification from the Solicitor regarding driveway construction and ordinance enforcement at 390 Evans Road. Mr. Garner stated he would look into the matter. Commissioner Gallisdorfer questioned an update with regards to illegal signs posted within the Township. Mr. Cotter stated he would be meeting with the Zoning Officer to discuss the matter. Mrs. Gallisdorfer expressed her concern regarding enforcement of the swimming pool ordinance.

OPEN SPACE COMMITTEE - Mr. Cotter reported the Open Space Committee will meet on Tuesday, February 15, 2005 at 7:00 P.M.

SEWER COMMITTEE - Mr. Cotter reported the Sewer Committee will meet on Wednesday, January 26, 2005 at 7:00 P.M.

ENGINEER'S REPORT - Mr. Taylor requested an update regarding the Levensood Road bridge. Mr. Cotter stated he would discuss the matter with the Public Works Director. He further stated Douglass (Berks) Township prefers that the bridge be closed.

SOLICITOR'S REPORT - Attorney Chuck Garner reported he has been working closely with the Township Manager on numerous sewer, water and Fire Company issues.

608420

TOWNSHIP MANAGER'S REPORT - Mr. Cotter reported the Moyer Road traffic signal should be operational by early spring. **Flag Controversy** - Mr. Cotter expressed his thanks to Mercury reporter, Evan Brandt, for the recent newspaper articles regarding the flag on the cell tower. Mr. Cotter reported American Tower will replace the flag on the cell tower at the Municipal Building on Wednesday - weather permitting.

GREENGATE INFLOW AND INFILTRATION - Award Contract - A motion by Noll, seconded by Schaeffer, to award the contract to Allstate Power Vac, Inc. of Rahway, New Jersey, in the amount of \$58,321.00. All aye votes. When Developer **RICHARD MINGEY**, questioned whether the project includes any manhole repairs; Mr. Cotter stated "yes."

CHANGE OF SCHEDULED MEETING DATES - A motion by Gallisdorfer, seconded by Schaeffer, to authorize the advertisement of the change in meeting dates for various Boards and Commissioners. All aye votes. Mr. Cotter noted the time for the Sewer Committee meetings have been changed from 5:00 PM to 7:00 PM.

AUTHORIZATION TO ADVERTISE AMENDMENTS TO THE TOWNSHIP'S ZONING MAP AND R-2 ZONING DISTRICT - Township Solicitor Chuck Garner explained the need for some minor changes to the zoning map due to the fact that several properties are shown in a different zoning district than they were previously. Mr. Garner noted the proposed changes were recommended by the Planning Commission. Mr. Garner also explained a request from D & D Collision Services to change a portion of the zoning map from R-4 zoning to CO zoning. Commissioner Schaeffer expressed concern regarding the need for this zoning change now as he was under the impression from previous conversations that a zoning change wasn't necessary. Mr. Schaeffer explained it was his understanding that Mr. Dickenson has an "inherited right" to use the property as it is currently being used since this has been the use for several years. He expressed further concern regarding the costs involved and how making the zoning change now could result in potential ramification with adjacent property owners. After further discussion, a motion by Gallisdorfer, seconded by Noll, to authorize the advertisement for a public hearing the amendments to the Zoning Map and R-2 Zoning District. Aye votes: Gallisdorfer, Noll, Reeves and Taylor. Opposed: Schaeffer. Motion carried. Commissioner Reeves arrived at 7:35 P.M.

TOWNSHIP BUILDING MAINTENANCE PROPOSAL - A motion by Schaeffer, seconded by Reeves, to accept the proposal from SteriClean Cleaning Services at a year cost of \$4,300.00. All aye votes.

409 EVANS ROAD LAND DEVELOPMENT PLAN - Extension Request - A motion by Noll, seconded by Gallisdorfer, to approve a 90-day extension request from January 31, 2005, through April 30, 2005, for the review of the 409 Evans Road Subdivision plan. All aye votes.

APPROVAL OF MINUTES - December 20, 2004 - A motion by Gallisdorfer, seconded by Noll, to approve the minutes of the December 20, 2004, meeting as presented. All aye votes.

APPROVAL OF MINUTES - January 12, 2005 - A motion by Noll, seconded by Reeves, to approve the minutes of the January 12, 2005, meeting subject to the insertion of the correct ordinance numbers and copies of the amended minutes are provided to the members of the Board. All aye votes.

APPROVAL OF BILL LIST - January 24, 2005 - It was noted that the Fire Fund would reimburse the General Fund for expenses usually paid from the fire tax monies. A motion by Gallisdorfer, seconded by Reeves, to approve the Bill List dated January 24, 2005, for General Fund in the amount of \$34,354.33; Park and Recreation Fund in the amount of \$9.09; Sewer Fund in the amount of \$5,216.91 and State Fund in the amount of \$5,178.64. Total Disbursements - \$44,758.97. All aye votes.

COMMISSIONERS COMMENTS:

COMMISSIONER GALLISDORFER - Reported that the Township will be receiving a letter of support from Congressmen Holden and Dent regarding the USDA grant. Mrs. Gallisdorfer questioned who is paying for the worker's compensation for the Fire Police. Mr. Cotter stated the policy does not expire until March; however he is looking into coverage with H.A. Thomson.

BOARD PRESIDENT REEVES - Requested a correct copy of the meeting schedule.

EXECUTIVE SESSION - At 8:10 P.M. Mr. Taylor announced the Board would meet in Executive Session to discuss pending litigation, potential litigation and a personnel matter; however there would be no action taken. The meeting reconvened at 10:15 P.M.

ADJOURNMENT - There being no further business the meeting was adjourned at 10:16 P.M.

Respectfully submitted,



Cynthia H. Saylor
Township Secretary