

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

March 28, 2005

A meeting of the Board of Commissioners was held on Monday, March 28, 2005, at the Upper Pottsgrove Township Administrative Office, 1409 Farmington Avenue, with Commissioners Gallisdorfer, Noll, Reeves, Schaeffer and Taylor present. Also present were Solicitor Charles D. Garner, Jr., Township Manager Michael Cotter and Township Secretary Cynthia Saylor. Mrs. Reeves called the meeting to order at 7:07 P.M. There were 48 people and a Mercury reporter present in the audience.

PLEDGE OF ALLEGIANCE - Those assembled pledged allegiance to the flag.

MOMENT OF SILENT PRAYER - Mrs. Reeves 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.

PUBLIC COMMENT: ROBERT SLOSS - 2097 Needhammer Road - Expressed his concern regarding the Township borrowing \$9 million for future projects when there is still outstanding debt from the Firehouse renovations. He also expressed concern that the additional borrowing would cause an increase in taxes.

GILBERT DUNCAN - 72 Hanover Drive - Personally offered his services to the Township in order to bring Upper Pottsgrove Fire Company No. 1 "back on track."

REPORTS - President Reeves noted copies of the monthly reports would be posted on the bulletin board.

SOLICITOR'S REPORT - Attorney Chuck Garner reported he has been working on numerous issues with regards to water, sewer and zoning.

VACANCY BOARD - A motion by Taylor, seconded by Noll, to appoint David DeLong to the Vacancy Board - term to expire December 31, 2005. Aye votes: Taylor and Noll. Opposed: Gallisdorfer, Reeves and Schaeffer. A motion by Gallisdorfer, seconded by Schaeffer, to appoint Dennis Elliott to the Vacancy Board - term to expire December 31, 2005. Aye votes: Gallisdorfer, Reeves, Schaeffer and Taylor. Opposed: Noll. Motion carried.

POTTSTOWN METROPOLITAN PLANNING COMMISSION - John Bealer - A motion by Taylor, seconded by Gallisdorfer, to appoint John Bealer to the Pottstown Metropolitan Planning Commission. All aye votes.

COLLECTION OF DELINQUENT SEWER ACCOUNT - Writ of Execution - A motion by Taylor, seconded by Gallisdorfer, to authorize Portnoff Law Associates to file a writ of execution. All aye votes.

ROUSE/CHAMBERLIN SWEETWATER SEWAGE PLANNING MODULE - Mr. Cotter reported the Township's Sewer Committee reviewed the sewage planning module for the Sweetwater Subdivision and found it to be in compliance with the Township's Act 537 plan. Mr.

ROUSE/CHAMBERLAIN SWEETWATER SEWAGE PLANNING MODULE CONT'D -

Cotter explained the planning module is for public sewer not on-lot sewer. A motion by Taylor, seconded by Gallisdorfer, to approve the Sweetwater Sewage Planning Module based on the following conditions: that Rouse/Chamberlin and the Township enter into and execute a Sewage Treatment Capacity Purchase Agreement for the required treatment capacity at the Borough of Pottstown's Treatment Plant and that Rouse/Chamberlin and the Township enter into and execute a Sewage Conveyance Improvement Agreement for the necessary pipe and pump station improvements needed. All aye votes.

PUBLIC HEARING - On an Ordinance to Amend the Township's Codified Ordinances, specifically to amend the Township Zoning Map, Define Central Open Space, Define Passive Open Space, Revise the R-2 Zoning District, and limit the use of Neighborhood Lotting in the R-1 Zoning District. Solicitor Chuck Garner opened the public hearing at 7:31 P.M. Mike Narcowich, Montgomery County Planning Commission, provided a brief overview of the proposed ordinance amendments.

ROBERT SLOSS - 2097 Needhammer Road - Requested a clarification with regards to the proposed zoning change from R-2 Residential to Co-Commercial.

CHARLES RIETH - 140 Mulberry Street - Expressed concern as to how the proposed zoning changes will effect his property. Mr. Cotter explained the proposed zoning map change would place Mr. Reith's entire property within the CO-Commercial Office Zoning District.

When **HENRY BEALER, 1382 Farmington Avenue**, questioned whether the proposed zoning changes would effect his property; the Commissioners responded "no."

BARBARA RIETH - 140 Mulberry Street - Questioned whether her property would be surrounded by businesses since it will now be zoned commercial. Mr. Garner advised Mrs. Rieth that she could continue to use her property as residential.

There being no further public comments; Mr. Garner closed the hearing at 7:50 P.M.

ORDINANCE #379 - An Ordinance of the Township of Upper Pottsgrove, Montgomery County, Pennsylvania, amending the Code of Ordinances of Upper Pottsgrove Township and the Zoning Ordinance, to revise its Zoning Map to change certain portions of R-2 Residential to CO-Commercial Office; to revise a certain area from R-3 Residential and R-4 Residential to C)-Commercial; to amend certain portions of its Zoning Ordinance to provide for definitions for terms "Central Open Space" and "Passive Open Space"; to revise certain substantive requirements within the R-2 Residential Zoning District and to limit the use of Neighborhood Lotting in certain areas in the R-1 Zoning District; and to revise the Official Township Map as reflected on Exhibit "A" which is attached hereto. A motion by Taylor, seconded by Gallisdorfer, to adopt Ordinance #379. Aye votes: Gallisdorfer, Noll, Reeves and Taylor. Opposed: Schaeffer. Motion carried. Commissioner Schaeffer noted he was in opposition to the change in the zoning map pertaining to the D & D Collision property on Farmington Avenue.

STANLEY NEDZIA - 957 Farmington Avenue - Expressed his concern regarding commercial building and the water contamination.

When **JACK SCHAEFFER, 1520 Farmington Avenue** stated he thought his property should be included in the zoning change both Commissioner Taylor and Attorney Garner reiterated that his property was included in the zoning change.

POTENTIAL POLICE SERVICE AGREEMENT WITH DOUGLASS/BERKS TOWNSHIP - President Reeves outlined the advantages of the potential police service agreement with Douglass/Berks Township and noted the proposal would be a win-win situation for both townships. Mrs. Reeves stated the purpose of tonight's discussion was to obtain comments from the audience.

HENRY BEALER - 1386 Farmington Avenue - Stated he is not in favor of the potential agreement and expressed his concern regarding the size of Douglass/Berks Township. He further stated Douglass Township previously tried to merge with Colebrookdale Township and it didn't work

ROBERT SLOSS - 2097 Needhammer Road - Expressed concern that the "subject" was never discussed at a public meeting in either Township. Mr. Sloss stated he was mainly concerned with dollars and cents and questioned how much money the Township would save. Mr. Cotter stated both township would lower their operating costs as a result of the potential agreement.

When **GILBERT DUNCAN, 72 Hanover Drive**, questioned if the police service agreement would effect the responsibilities of the Civil Service Commission; Mr. Cotter stated there would be no change with regards to the Civil Service Commission.

CARL SPECHT - 150 Primrose Lane - Expressed concern regarding the safety of the residents, the size of the area to be patrolled with regards to response time and radio communications since each township is served by a different county dispatch system. Mr. Cotter stated he checked with both Montgomery County dispatch and Berks County dispatch with regards to communications and assured Mr. Specht there would be no problem.

SCOTT READMAN - 207 Mangers Mill Road - Stated that the Township did away with the Fire Company and expressed his concern that there will not be enough police officers in the Township. Mr. Redman questioned how the merger will benefit Upper Pottsgrove Township.

When **MARK PETRUCELLI, 1231 North State Street**, questioned who is advising the Township with regards to the potential agreement with Douglass/Berks Township; Mr. Cotter stated the Police Officers and the (DCED) Department of Community and Economic Development. Mr. Cotter explained the Department of Community and Economic Development is a state agency that has in house experts specializing in police consolidation, regional police and police service agreements. Mr. Cotter further stated he along with the Township Solicitor both have previous experience in dealing with these issues. Mr. Petrucelli questioned why not investigate a closer police department. Mr. Cotter noted Upper Pottsgrove Township shares a substantial border with Douglass/Berks Township.

ROBERT ALLENBACH - 483 Colebrookdale Road - Stated the residents in Douglass/Berks Township want their own Police Department and do not want to merge with any township. Mr. Allenbach questioned the number of police officers serving the Township, the population of the Township and \$230,000 cost to provide police services to Douglass/Berks Township. Mr. Cotter stated the \$230,000 is a "ball park" figure that is subject to change.

^{Readman}
SCOTT REDMAN - 207 Maugers Mill Road - Requested a clarification regarding the number of police officers currently employed with the Township.

JOHN BAUMAN - 113 Poolhill Road - Stated Douglass/Berks Township wants their own police force and warned the Board of Commissioners when dealing with their (Douglass/Berks) Supervisors.

CARL SPECHT - 150 Primrose Lane - Requested a breakdown of the \$230,000 projected cost in order to provide police services to Douglass/Berks and questioned whether the financial obligation would be paid by Douglass/Berks.

SANDRA LLOYD - 72 Hill Road - Addressed the Board and noted that not everyone in Douglass/Berks Township behave in the way Mr. Bauman described.

CHARLES REITH - 140 Mulberry Street - Expressed concern regarding response time.

ROBERT SLOSS - 2097 Needhammer Road - Questioned whether the township would hire three additional officers if Douglass/Berks Township does not accept the proposed police service agreement. Mr. Cotter stated the additional hiring would take several years.

BOARD PRESIDENT REEVES - Reported that Douglass/Berks Township will discuss the proposed police service agreement with their residents on Tuesday, April 5, 2005.

EXECUTION OF THE BOROUGH OF POTTSTOWN AUTHORITY TREATMENT CAPACITY AGREEMENT - A motion by Gallisdorfer, seconded by Taylor, to authorize execution of the Treatment Capacity Agreement. All aye votes.

RESOLUTION #443 - A Resolution of the Board of Commissioners of Upper Pottsgrove Township, Montgomery County, Pennsylvania, establishing the qualifications, duties and responsibilities of the Sewer Committee as an advisory body to the Board of Commissioners with respect to water and sewer issues within Upper Pottsgrove Township. A motion by Taylor, seconded by Noll, to adopt Resolution #443. Commissioner Taylor noted a concern with respect to the language regarding qualifications. Commissioner Taylor amended his motion as follows: a motion by Taylor, seconded by Noll, to adopt Resolution #443 to include a change in the language in Section 2 - Qualifications. All aye votes.

RESOLUTION CREATION OF A TOWNSHIP ADMINISTRATIVE POLICY MANUAL -

Mr. Cotter provided an overview of the Administrative Policy Manual and requested input from the members of the Board for future discussion at the April 25, 2005, meeting. With regards to the Agenda Policy Commissioner Gallisdorfer stated it is her opinion that the "public comment" should be listed twice on the meeting agenda.

OPEN SPACE ACQUISITION PROCEDURES - Mr. Cotter reported the Open Space Committee has been busy working on the creation of the Township's new Open Space Plan, and identifying and soliciting property owners interested in working with the Township on preserving their land. One of the properties the Committee is currently interested in acquiring is located on Maugers Mill Road. Mr. Cotter provided a brief description of the property. Commissioner Taylor explained the open space parcels would be purchased with grant money. Mr. Cotter noted there is currently \$780,000 available for Upper Pottsgrove Township to purchase open space. He further noted the Township would be responsible for 20% of the costs and the balance (80%) would be paid from the County. After a brief discussion, a motion by Taylor, seconded by Schaeffer, to authorize the Open Space Committee, along with support and guidance of the Township Manager and Solicitor, to enter into negotiations and to retain the services of a qualified appraiser. All aye votes.

ROBERT SLOSS - 2097 Needhammer Road - Expressed concern regarding the Township borrowing money and going further into debt. Mr. Cotter stated by preserving and/or purchasing open space we will be able to control growth within the Township. Commissioner Gallisdorfer added the Township will spend more money by allowing more developments than by preserving the open space.

HENRY BEALER - 1388 Farmington Avenue - Expressed concern regarding the condition of the open space parcel and noted Mill Road.

ON-LOT MANAGEMENT AGREEMENT - 1231 North State Street - Attorney Chuck Garner provided a brief overview of the draft On-Lot Sewage Operations and Maintenance Agreement for 1231 North State Street. It was noted that the Agreement was reviewed and approved by the Sewer Committee. After a brief discussion, a motion by Taylor, seconded by Schaeffer, to authorize the execution of the On-Lot Sewage Operations and Maintenance Agreement for 1231 North State Street. All aye votes.

COMMISSIONERS COMMENTS:

COMMISSIONER GALLISDORFER - Requested the Township address a letter to Kathleen McGinty, Secretary with the PA DEP to reaffirm the Township's opposition to any expansion of the Pottstown Landfill.

TOWNSHIP MANAGER - Mr. Cotter reported the Board will continue discussions regarding the potential police service agreement with Douglass Township as well as discussions regarding fire service protection at the April 13, 2005, meeting.

ROBERT SLOSS - 2097 Needhammer Road - Questioned invoices from the Borough of Pottstown and John Fraunces. Mr. Cotter explained the invoice from the Borough of Pottstown is for hydrant rentals and the expenditure from John Fraunces is for a psychological exam for one of the new police officers.

APPROVAL OF MINUTES - March 9, 2005 - A motion by Taylor, seconded by Noll, to approve the minutes of the March 9, 2005 meeting as presented. All aye votes.

ADJOURNMENT - There being no further business, a motion by Gallisdorfer, seconded by Taylor, to adjourn the meeting at 9:40 P.M. All aye votes.

Respectfully submitted,



Cynthia H. Saylor
Township Secretary

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