

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

May 23, 2005

A meeting of the Board of Commissioners was held on Monday, May 23, 2005, at the Upper Pottsgrove Township Administrative Offices, 1409 Farmington Avenue, with Commissioners Noll, Schaeffer and Taylor present. Also present were Solicitor Paul Bauer, Township Engineer John Toomey, Township Manager Michael A. Cotter and Township Secretary Cynthia Saylor. There were 12 people present in the audience. Mr. Taylor called the meeting to order at 7:00 P.M. Commissioners Gallisdorfer and Reeves were absent.

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 armed forces.

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

PUBLIC COMMENT:

REG LEISTER - 1693 Farmington Avenue - Announced the Upper Pottsgrove Administrative Office has been designated as a "collection station" for worn and tattered flags. Mr. Leister reported there will be a flag retirement ceremony held at Memorial Park on Sunday, June 5, 2005 at 1:00 P.M.

ROBERT SLOSS - 2097 Needhammer Road - Expressed his concern as to when the sound system would be installed in the meeting room.

POLICE REPORT - When Commissioner Noll questioned the trailer parked in front of the Police station; Mr. Cotter advised the trailer is used by the Highway Department to "house" their sewer equipment. Mr. Noll questioned what budget item will be charged for the new ceiling tiles and carpeting recently installed at the municipal building. Mr. Cotter stated he would check the invoice. Mr. Cotter expressed his thanks and appreciation to Police Secretary, Kim Sterling, for negotiating with representatives from the ALERT system in obtaining digital imaging software at no additional cost to the Township.

HIGHWAY REPORT - Mr. Cotter expressed his appreciation to Justin Bean for installing the new ceiling tiles at the municipal building. Mr. Noll questioned whether the Highway Department has resumed providing the routine maintenance on the police vehicles. Mr. Cotter responded "yes" and noted the Acting Chief and Public Works Director have worked out their scheduling issues.

OPEN SPACE COMMITTEE - Mr. Cotter reported the Open Space Committee did not meet this month due to the primary election; however they will meet in June.

SEWER COMMITTEE - Mr. Cotter reported the Sewer Committee met and discussed the Act 537 Plan review and the Sweetwater preliminary plan.

PARK & RECREATION COMMITTEE - Mr. Cotter reported the Park and Recreation Committee met and will be presenting the Township with a proposal to create a new master park and recreation plan. The Committee also discussed a proposed design for a sign to be installed at all

PARK & RECREATION COMMITTEE CONT'D - parks within the Township.

ENGINEER'S REPORT - Commissioner Schaeffer referenced the Construction Standards Handbook as noted in the Engineer's Report and questioned whether the members of the Board would have a chance to preview the manual. Mr. Cotter stated the handbook would be adopted by resolution at the June 23, 2005, meeting. When Commissioner Noll requested an update with regards to the Church of the Latter Day Saints drainage issue; Mr. Cotter stated he contacted the Church in Salt Lake City; however, he is waiting to hear from the regional construction manager for the Church.

SOLICITOR'S REPORT - Attorney Paul Bauer reported the Solicitor has been working on the Police Service Agreement with Douglas/Berks Township and the extension of the sewer line for the Sweetwater Subdivision.

MANAGER'S REPORT - Mr. Cotter reported he along with Attorney Chuck Garner have been working on the Police Service Agreement with Douglass/Berks Township and noted the Solicitors for each township will review the work out the final draft prior to any Board action.

RESOLUTION #450 - SWEETWATER SUBDIVISION PRELIMINARY PLAN - Mr. Cotter reported the Sewer Committee reviewed the Sweetwater Subdivision plan in relation to future sewer planning specifically for Ming Drive and Moyer Road, west of Gilbertsville Road. Jonathan Penders and Steve Gallo, Rouse/Chamberlin were present to discuss the Resolution for the Sweetwater Subdivision Preliminary Plan. Mr. Penders referenced condition 1.C and 4 regarding replacement of the existing corrugated metal pipe under Cross Road at Moyer Road and questioned whether they are one and the same issue. After discussion, it was agreed to eliminate condition 1.C. Commissioner Schaeffer expressed his concern regarding the impact of construction vehicles traveling along Moyer Road to access the proposed development. Attorney Bauer suggested additional language in the resolution to include: Applicant agrees that all construction vehicles must enter or exit the construction site from Route 100 and agrees to post the appropriate signage. Mr. Penders referenced the \$10,000 non-refundable contribution for the installation of the traffic signal at Route 100 and Moyer Road and noted during previous discussions there was some uncertainty as to whether or not PennDot would invoice the Township for this project. After further discussion, Mr. Penders and the members of the Board agreed to the following amendments to the Resolution: eliminate Section 1.C. Condition 4 to read - In lieu of the applicant replacing a storm drainage pipe near the intersection with Cross Road; applicant shall pay a fee not to exceed \$4,000 based upon a cost estimate to be determined by the Township Engineer; Section 1.E. - Placement of guide rails along Road A at West Moyer Road and along detention basin C; Section 5.C - The extension of a sanitary sewer main within the right of way of West Moyer Road; change the date from one (1) year to five (5) years with regards to obtaining final plan approval; two additional waivers - waiver H from Section 403 (D) (2) to allow the existing road width on Moyer Road as contrasted to the twenty four foot width requirement; and waiver I from Section 403 (A)(5) to waive any required road improvements on Cross Road. A motion by Noll, seconded by Taylor, approve Resolution #450 with the amendments incorporated in the resolution. Aye votes: Noll and Taylor. Opposed: Schaeffer. Commissioner explained he is not opposed to the subdivision plan; however, he would

RESOLUTION #450 - SWEETWATER SUBDIVISION PRELIMINARY PLAN CONT'D

feel more comfortable in reviewing the revised version of the amended resolution prior to voting due to the numerous language changes that were discussed. Motion carried.

409 EVANS ROAD SKETCH PLAN REVIEW - Ragesh Patel was present to discuss the 409 Evans Road sketch plan. Mr. Cotter reported Mr. Patel has been working together with the Township staff in order to create a plan that will preserve the natural woodlands and wetlands. Mr. Cotter stated Mr. Patel has revised his original plan based on the conservation designed principals. He explained the conservation design concept looks to preserve the important natural features first and then create the lot lines. It was noted that the Planning Commission, the Open Space Committee and the Sewer Committee looked favorably on the proposed sketch plan. Mr. Cotter stated Mr. Patel has come before the Board tonight to look for some direction as to whether or not this is an acceptable sketch plan. He further stated if the Commissioners like the idea of conservation design the Township staff would draft language that would incorporate the ideas of the conservation design principals into our Zoning and Subdivision Ordinances. Attorney Bauer stated the developer would have to seek zoning relief through a Special Exception regarding steep slope as well as a Conditional Use application. Commissioner Noll stated he appreciated the conservation design concept; however, he expressed concern with regards to steep slope and grading issues. Commissioner Schaeffer stated anything we can do within the Township to preserve open space and conserve our natural resources is very important. Mr. Cotter reiterated the need to create a conservation design ordinance.

ROBERT SLOSS - 2097 Needhammer Road - Requested a clarification with regards to the number and size of the logs and the zoning of the proposed Evans Road sketch plan.

DIANA UPDEGROVE - 1404 Farmington Avenue - Questioned whether the access road to the 409 Subdivision is considered a private driveway, a private road or a public road. Mr. Cotter stated that would be up to the developer.

DAVE WALDT - 107 Rose Valley Road - Expressed his "thanks" to Mr. Patel with regards to the proposed 409 Evans Road sketch plan.

AUTHORIZE ADVERTISEMENT OF THE GREENGATE I & I BIDS - John Toomey, LTL Consultants, stated the Township has been working to correct the inflow and infiltration within the Greengate Development. Mr. Toomey explained Phase I (slip lining) is approximately 80% complete; Phase II is for repairs from the trunk lines to the street line and Phase III repairs from the street line into the house. A motion by Noll, seconded by Schaeffer, to authorize the advertisement of the Greengate I & I bids for Phase II and III. All aye votes.

ACT 537 UPDATE REVIEW - Mr. Toomey provided a brief overview of the Act 537 Sewer Service Areas. Mr. Toomey explained Act 537 is the Pennsylvania law that basically controls everything pertaining to sewer whether it is public or on-lot sewer. Mr. Toomey provided a map of the sewer service areas within Upper Pottsgrove Township and explained the original Act 537 Plan was done in 1991; and the amendment which includes the Farmington Avenue West area was

ACT 537 UPDATE REVIEW CONT'D - approved in 2002. Mr. Toomey discussed a proposal for conducting a Special Study Act 537 Plan for Ming Drive, Horseshoe Drive and Moyer Road. After discussion, the members of the Board agreed to authorize LTL to prepare "more detailed" specifications of the plan.

ROBERT SLOSS - 2097 Needhammer Road - Expressed his concern regarding sewer capacity.

When **CARL SPECHT, 150 Primrose Lane**, questioned whether the homes along Chestnut Grove Road are included in the proposed sewer area; Mr. Toomey explained the homes along Chestnut Grove Road will be connected to public sewer as part of the Farmington Avenue West project.

WEB PAGE PRESENTATION- Mr. Cotter advised this matter would be tabled to a future meeting.

AMENDMENT TO THE TOWNSHIP OF LOWER POTTS GROVE ACT 537 PLAN - A motion by Noll, seconded by Schaeffer, to approve the amendment to Lower Pottsgrove Township's Act 537 Plan and permitting the purchase and re-allocation of 500,000 gpd of wastewater treatment capacity from the Borough of Pottstown Municipal Authority. All aye votes.

RESOLUTION #445 - Creating a Township Administrative Policy Manual - This matter was tabled to a future meeting when the entire Board is present.

COMMISSIONER'S COMMENTS - There were no comments from the Commissioners.

APPROVAL OF BILL LIST - May 23, 2005 - A motion by Schaeffer, seconded by Noll, to approve the Bill List dated May 23, 2005 for General Fund in the amount of \$41,178.36; Fire Fund in the amount of \$2,029.50; Park and Recreation Fund in the amount of \$109.79; Sewer Fund in the amount of \$12,147.38 and State Fund in the amount of \$854.95. Total disbursements - \$56,319.98. All aye votes.

ROBERT SLOSS - 2097 Needhammer Road - Questioned the invoice from Marsh McBirney expended from the Sewer Fund in the amount of \$7,720.00. Mr. Cotter explained the invoice from Marsh McBirney was for the purchase of a movable flow meter.

APPROVAL OF MINUTES - May 2, 2005 - Action on the approval of the minutes from the May 2, 2005, was tabled until the June meeting.

JUNE MEETING - Mr. Cotter announced the next Board of Commissioner's meeting will be held on Thursday, June 23, 2005.

ADJOURNMENT - There being no further business, a motion by Noll, seconded by Schaeffer, to adjourn the meeting at 9:35 P.M. All aye votes.

Respectfully submitted,

Cynthia M Taylor