

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

June 23, 2005

A meeting of the Board of Commissioners was held on Thursday, June 23, 2005, at the Upper Pottsgrove Township Administrative Offices, 1409 Farmington Avenue, with Commissioners Noll, Schaeffer and Taylor present. Also present were Township Solicitor Charles D. Garnder, Jr., Township Manager Michael Cotter and Township Secretary Cynthia Saylor. Mr. Taylor called the meeting to order at 7:05 P.M. Commissioners Reeves and Gallisdorfer was 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 the armed forces.

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

PUBLIC COMMENTS:

REGINALD LEISTER - 1693 Farmington Avenue - Stated that sixty five flags were collected from the Administrative Office and retired during the recent flag retirement ceremony which was recently held at Memorial Park. **CIVIL SERVICE COMMISSION** - Mr. Leister reported the Civil Service Committee "proctored" nineteen potential police officer applicants on Saturday, June 18, 2004 and noted an eligibility list should be ready by the end of the summer.

ROBERT SLOSS - 2097 Needhammer Road - Expressed his concern regarding the year to date disbursements for the Police Department and noted the expenses for the first half of the year have exceeded the total amount budgeted. Mr. Cotter stated he would address any of Mr. Sloss's financial concerns and suggested he contact the administrative office. Mr. Sloss questioned why the meeting with the Fire Company was cancelled. Commissioner Taylor stated there were conflicting schedules between some of the Board members and apologized for any inconvenience. He further stated there would be no decisions made regarding the matter at tonight's Board meeting.

MICHAEL CONNELLY - 861 North Hanover Street - Questioned why the Fire Company meeting was scheduled at the Comfort Inn and expressed concern that the Township is "wasting money". Mr. Connelly noted the meeting room at the Comfort Inn is no bigger than the meeting room at the Administrative Office. Township Manager Michael Cotter explained the Board wanted to meet at a neutral location. When Mr. Connelly questioned if the Township was planning to assume full responsibility of the Fire Company; Mr. Cotter stated the Fire Company is its own entity. Commissioner Taylor stated the Board is not prepared to make any decisions regarding the Fire Company this evening.

STANLEY HILDENBRAND - Fire Marshall - Referenced on going rumors with regards to the members of Fire Company No. 1 not being properly qualified and presented copies of their training certificates to the Township Manager.

HENRY BEALER - 1382 Farmington Avenue - Questioned why fire calls are not handled the way they used to be. Mr. Cotter explained the Township is divided into eight (8) sectors; depending on the location of the fire determines what company and what equipment responds to the call. Mr. Cotter assured Mr. Bealer that the Township is covered in every aspect with regards to fire protection. Mr. Bealer questioned why the doors to the Fire Company are padlocked and presented

HENRY BEALER CONT'D - pictures to the members of the Board. Mr. Cotter stated "in order to protect our equipment." Mr. Bealer expressed his concern regarding the fire equipment if there was ever a fire at the Firehouse. He also questioned why the advertisement notifying residents of the Fire Company meeting was not placed as a legal notice in the newspaper. Mr. Cotter explained the meeting notice was placed as a box advertisement in order to provide better visabililty. When Mr. Bealer questioned the cost of the box advertisement; Mr. Cotter replied "\$250".

When **MICHAEL CONNELLY, 861 North Hanover Street**, questioned who the primary Fire Company is for the Township; Mr. Cotter responded for insurance purposes and mutual aide agreement purposes New Hanover Township is the primary Fire Company for Upper Pottsgrove Township. Mr. Cotter stated the bulk of the fire calls are currently being handled by Ringing Hill and North End Fire Companies. Mr. Connelly reported that Ringing Hill Fire Company has sent a letter to Upper Pottsgrove residents stating that they are the primary Fire Company for the Township and are requesting donations. Mr. Connelly expressed his concern that the residents will receive donation requests from the other fire departments currently providing fire protection services to Upper Pottsgrove Township.

WILLIAM HINTON - 1379 Farmington Avenue - Questioned how the fire tax money is being utilized. Commissioner Taylor stated the fire tax is being use for the surrounding communities who are currently providing fire protection to the Township.

ROBERT SLOSS - 2097 Needhammer Road - Stated he spoke with a representative at DEP and was advised they (DEP) are funding the Wolf Run project one hundred percent (100%). Mr. Sloss expressed his concern regarding the contributions by the developers for the project.

REGINALD LEISTER - Civil Service Commission - Requested an update regarding the selection process for the Police Chief's position. Mr. Cotter state he will be conducting interviews with the semi final candidates next week. Mr. Cotter explained out of the five semi finalists he will narrow the selection down to two candidates and noted that the Supervisors from Douglass Berks have been invited to participate in the interview process. Mr. Cotter stated he hopes to complete the process sometime in July and make an announcement in early August.

When **DIANA UPDEGROVE, 1404 Farmington Avenue**, questioned why the Supervisors from Douglass Berks are going to be involved with the interview process for the Police Chief's position; Mr. Cotter stated "as a matter of courtesy." Commissioner Schaeffer stated one of their (Douglass/Berks) concerns was how active and how visible our police force would be under contract with them and noted they would have no say in the interview process; we are just providing a "comfort level."

WILLIAM HINTON -1379 Farmington Avenue - Expressed concern regarding the excessive speeding along Farmington Avenue and questioned what will happen when our Police Officers are in Douglass Berks Township and there is an emergency in Upper Pottsgrove Township. Commissioner Taylor advised Mr. Hinton to address his concern regarding speeding on Farmington Avenue with our Police Department.

POLICE REPORT - Mr. Cotter stated the monthly Police Report was unavailable.

PUBLIC WORKS REPORT - A copy of the monthly Public Works Report was posted on the bulletin board.

BUILDING INSPECTION & CODE ENFORCEMENT - Commissioner Schaeffer noted the importance of enforcing the rules and regulations with regards to the installation of swimming pools and decks in order to ensure the safety of the Township residents.

OPEN SPACE COMMITTEE REPORT - Mr. Cotter reported the Open Space Committee met and reviewed Chapters 6,7 and 8 of the Open Space Plan. Mr. Cotter noted the Open Space Committee is attempting to change their meeting date to the second Tuesday of the month.

SEWER COMMITTEE REPORT - Mr. Cotter reported the Sewer Committee did not meet in June.

PARK & RECREATION COMMITTEE - Mr. Cotter reported the Park and Recreation Committee did not meet in June.

PLANNING COMMISSION - Mr. Taylor reported the Planning Commission did not meet in June.

ENGINEER'S REPORT - A copy of the monthly Engineer's Report was posted on the bulletin board.

TOWNSHIP SOLICITOR'S REPORT - Attorney Chuck Garner provided a brief summary of his activities for the month of June. Mr. Garner noted the Chestnut Grove Estates Subdivision is nearing completion and the Board will be looking at road dedication at a future meeting. Mr. Garner reported that Phase I of the financial borrowing was finalized on June 3, 2005.

TOWNSHIP MANAGER'S REPORT - Mr. Cotter reported the Township will be purchasing sewage treatment capacity from the Pottstown Sewer Authority next week. Mr. Cotter stated the Board will be acting on the Sewage Planning Modules for Sweetwater, Summers Grove, Woodbrook and SOCO/Skarbek at the July meeting.

MAY FINANCIAL REPORT - Mr. Cotter reported the Township received the liquid fuels allotment in the amount of \$88,139.00. Mr. Cotter expressed his thanks to Rosemarie for all her efforts in collecting \$39,650 in builder's professional fees.

CHESTNUT GROVE ESTATES ESCROW RELEASE #12 - A motion by Schaeffer, seconded by Noll, to authorize escrow release #12 for Chestnut Grove Estates in the amount of \$32,934.26 as recommended by the Township Engineer. All aye votes.

RENOVATIONS BY DESIGN HANOVER ESTATES - Review Extension - A motion by Noll, seconded by Schaeffer, to grant a 90-day extension of time from June 30, 2005. All aye votes. When **DIANA UPDEGROVE, 1402 Farmington Avenue**, questioned the reason for the extension request; Mr. Cotter referenced the letter dated June 9, 2005 from developer Richard Mingey which states he is revising the plan in accordance with comments from the Planning Commission and Township Engineer. The letter further states it is the desire of the Planning Commission to have a

RENOVATIONS BY DESIGN HANOVER ESTATES CONT'D- combined open space area with the adjacent Bachman Subdivision, and additional information is needed from the Planning Commission, Township Engineer and the Rosen Group in order to coordinate the design of their plan.

RESOLUTION #445 - Creating a Township Administrative Policy Manual - It was agreed to table discussion regarding this matter to a future meeting when all members of the Board are present.

PROPOSAL FROM LTL CONSULTANTS - Provide Actc 537 Plan Special Study Services - The Board briefly discussed the proposal submitted by LTL Consultants to conduct a Special Study Act 537 Plan for Ming Drive, Moyer Road and Horseshoe Drive at a cost of \$19,100.00. A motion by Schaeffer, seconded by Noll, to accept the proposal submitted by LTL Consultants to conduct a Special Study Act 537 Plan at a cost of \$19,100. All aye votes.

HMS EMPLOYEE ASSISTANCE PLAN PROPOSAL - \$2,000 Annually - Mr. Cotter provided a brief outline of the services provided through the employee assistance plan. Commissioner Noll expressed concern as to how the Township employees would benefit from such a plan. When **REGINALD LEISTER, 1693 Farmington Avenue**, questioned whether the Employee Assistance Plan would be made available to the Police Officers; Mr. Cotter stated "yes."

ROBERT SLOSS - 2097 Needhammer Road - Suggested a copy of the proposal be provided to the employees for their review.

After further discussion, it was agreed to table the matter to a future meeting.

AUTHORIZATION TO ADVERTISE THE ADOPTION OF THE TOWNSHIP'S CODIFIED ORDINANCES - A motion by Noll, seconded by Schaeffer, to authorize advertisements of the Township's codified ordinances. All aye votes.

INDIAN VALLEY APPRAISERS PROPOSAL - Open Space Acquisition Appraisal - A motion by Schaeffer, seconded by Noll, to accept the proposal from Indian Valley Appraisers to perform an open space acquisition appraisal in the amount of \$2,000. All aye votes.

When **ROBERT SLOSS, 2097 Needhammer Road**, questioned the location of the open space the Township is looking to purchase; Mr. Cotter stated in the eastern portion of the Township.

APPROVAL OF BILL LIST - June 23, 2005 - Commissioner Noll questioned the invoice for Kremer Laser Eye Center in the amount of \$2500. Mr. Cotter explained one of the police officer's is in need of laser eye surgery and stated the officer will provide one hundred hours of computer technical services to the Township (at a rate of \$25/per hour) in order to repay the cost of his surgery. Mr. Noll expressed his concern that the Township is setting a precedence and questioned the procedure for tracking the officer's time while he is providing computer services. Mr. Cotter stated the Township has implemented a service request form which will track the number of hours the officer is working on the computers and noted that he as Township Manager would authorize all requests. Commissioner Schaeffer referenced the invoice from Total Rental in the amount of \$59.40 as depicted on the Bill List and suggested the Township purchase a hand truck for future use.

APPROVAL OF BILL LIST CONT'D - Mr. Schaeffer referenced the mileage reimbursement for Commissioner Noll for his attendance at the Eastern Association Conference and reiterated the procedure for attending meetings and conferences. Mr. Noll stated he would submit a written report to the members of the Board regarding the Eastern Association Conference in conjunction with Commissioner Gallisdorfer since she was also in attendance. Commissioner Noll questioned the invoice from Carter Locksmith and questioned if there are spare keys to the Manager's office. Mr. Noll referenced the payment to the neighboring fire companies for providing fire services to the Township and questioned why North End Fire Company was eliminated. Mr. Cotter stated the Township has yet to receive a request from North End Fire Company.

DIANA UPDEGROVE - 1404 Farmington Avenue - Expressed her concern regarding the payment to Kremer Laser Eye Center and stated any compensation received by the Police Officer must be reported.

HENRY BEALER - 1382 Farmington Avenue - Questioned the pay out amount to the neighboring Fire Departments. MR. Cotter reported Ringing Hill - \$5,000; West End - \$2,500; New Hanover - \$10,000 and North End - \$5,000.

ROBERT BEALER -1402 Farmington Avenue - Requested clarification regarding insurance coverage for New Hanover Township.

ROBERT SLOSS - 2097 Needhammer Road - Questioned the following invoices: Beck Construction; Kremer Laser Eye Center; reimbursement for Michael Cotter; Reed Smith and the Cardinal Group. Mr. Sloss questioned the effective date of the agreement with New Hanover Fire Company. Mr. Cotter stated the Agreement would be effective as of February 1, 2005. After further discussion, a motion by Schaeffer, seconded by Noll, to approve the Bill List dated June 23, 2005, for General Fund in the amount of \$249,306.11; Fire Fund in the amount of \$15,078.51; Park and Recreation Fund in the amount of \$105.23; Sewer Fund in the amount of \$4,484.40 and State Fund in the amount of \$1,572.36. Total Expenditures - \$270,546.61. All aye votes.

COMMISSIONERS COMMENTS: Commissioner Noll requested an update with regards to the Township web site. Mr. Cotter advised it is currently under construction and noted Township resident Jay Mathias, is volunteering his time to get it operational.

COMMISSIONER SCHAEFFER - Suggested the Township institute a program recognizing school students for achieving academic excellence. Mr. Schaeffer reported there are currently two wells that have gone dry in the Regal Oaks Development and recommended a letter be sent to Township residents educating them about water conservation.

APPROVAL OF MINUTES - May 2 and May 11, 2005 - A motion by Noll, seconded by Schaeffer, to approve the May 2 and May 11, 2005, minutes as presented. All aye votes.

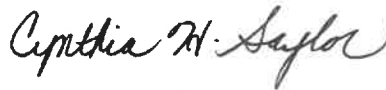
APPROVAL OF MINUTES - May 23, 2005 - Action on the May 23, 2005 minutes was tabled until the July meeting.

JULY MEETING - Mr. Cotter reported the next meeting will be held on Wednesday, July 27, 2005, at 7:00 P.M.

EXECUTIVE SESSION - At 9:20 P.M. Mr. Taylor announced there would be an Executive Session in order to discuss legal issues and the curative amendment; however no decisions would be made. The meeting reconvened at 10:10 P.M.

ADJOURNMENT - There being no further business, a motion by Schaeffer, seconded by Noll, to adjourn the meeting at 10:12 P.M. All aye votes.

Respectfully submitted,



Cynthia H. Saylor
Township Secretary

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nder New Business. A motion by Gallisdorfer, seconded by Schaeffer, to amend the agenda to include the changes as stated.

REG LEISTER - 1693 Farmington Avenue - Announced there will be a flag retirement ceremony held at Memorial Park on Sunday, June 5, 2005, at 1:00 P.M. Mr. Leister stated that anyone who wishes to properly dispose of old and tattered flags should drop them off at the Administrative Office.

MONTHLY FINANCIAL REPORT - Township Manager Michael Cotter stated copies of the monthly Financial Report is available for anyone interested. Mr. Cotter provided an overview of the revenues and expenditures for the month and noted April is the largest month for real estate tax collection.

MARTIN SHRIVER - 138 Rose Valley - Expressed his concern regarding the fire tax revenues and questioned how the money is being spent since the Fire Company is inactive. Mr. Cotter explained there are expenses for truck payments, insurance (workers' compensation, vehicle, and liability) and debt service.

WOLF RUN STATEMENT OF DECISION REVIEW - Mr. Cotter provided a brief history with regards to the site location and noted there are 111 private wells that have been impacted by the groundwater contamination. Mr. Cotter explained the following three potential alternatives considered by the Pennsylvania Department of Environmental Protection: #1 - No Action, #2 -