

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

September 28, 2005

A meeting of the Board of Commissioners was held on Wednesday, September 28, 2005, at the Upper Pottsgrove Township Administrative Offices, 1409 Farmington Avenue, with Commissioners, Gallisdorfer, Noll, Reeves, Schaeffer and Taylor present. Also present were Solicitor Charles D. Garner, Jr., Township Engineer John Theisen, Township Manager Michael Cotter and Township Secretary Cynthia Saylor. Mrs. Reeves called the meeting to order at 7:30 P.M. There were 15 people present in the audience.

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

MOMENT OF SILENT PRAYER - Mrs. Reeves requested a moment of silence in honor of the men and women who have served and are currently serving our country in the armed forces and all of the families who have experienced a loss and devastation with Hurricanes Katrina and Rita.

RESIGNATION - Mrs. Reeves stated that due to some personal commitments in her life which are putting a strain on her and her ability to help out with the Township she will remain on the Board as a Commissioner until the end of the year however, she will resign as President effective immediately. A motion by Noll, seconded by Gallisdorfer, to accept Commissioner Reeves' resignation as President of the Board. All aye votes. Solicitor Garner noted that Commissioner Taylor as Vice President would act as President.

CHANGES TO THE AGENDA - Mr. Cotter noted two changes to the meeting agenda: the addition of the Pottstown Public Library's funding request and asked that the Board table action on the appointment of the Fire Company President.

PUBLIC COMMENT - There was no public comment.

POLICE REPORT - Mr. Taylor noted there were no additions or changes to the monthly Police report and a copy will be posted on the bulletin board..

PUBLIC WORKS REPORT - A copy of the monthly Public Works report will be posted on the bulletin board. Mr. Cotter stated the Public Works Department removed and replaced exterior stairs leading from the Police offices to the Highway garage, installed handrails and emergency lighting and made repairs to the firehouse parking lot as recommended by the Township's insurance carrier.

BUILDING INSPECTION AND CODE ENFORCEMENT REPORT - A copy of the monthly Building Inspection and Code Enforcement report will be posted on the bulletin board.

OPEN SPACE COMMITTEE - Mr. Cotter reported the Open Space Committee will meet this month and discuss the final chapters of the Township's Open Space plan. Mr. Cotter noted a vacancy on the Open Space Committee and stated if anyone is interested they should submit a volunteer application available on the Township's web page.

SEWER COMMITTEE - Mr. Cotter reported the Sewer Committee met on Monday, September 19, 2005 and focused on some minor issues. There was also discussion regarding the Township's future direction in terms of ownership of public sewer facilities within the Township.

PARK AND RECREATION - Mr. Cotter reported the Park and Recreation Committee did not meet this month.

TOWNSHIP ENGINEER - Engineer John Theisen noted there were no changes or additions to the monthly report and a copy will be posted on the bulletin board.

TOWNSHIP SOLICITOR - Solicitor Garner reported he has been working on numerous water and sewer issues during the month.

TOWNSHIP MANAGER - Mr. Cotter reported Officer James Hummer has been called to active duty in Iraq and wished him "all the best" during his tour of duty. When Commissioner Taylor questioned how the township is handling his replacement; Mr. Cotter stated the civil service eligibility list should be available at the October 12 meeting.

RESOLUTION #459 - Boerner Final Plan Approval - Solicitor Garner stated final plan approval is subject to the following conditions: the applicant shall contribute \$17,500 to the Township for the Township's use for park, recreation and/or open space purposes, compliance with the conditions and comments set forth in the Engineer's most recent review letter, enter into an agreement with the Township for the extension of a sanitary sewer conveyance system in a form mutually acceptable to the Township and the Applicant, the applicant will provide for a voluntary contribution to the Township in the amount of \$32,000 to defray the Township costs in providing public water due to TCE contamination, in addition the applicant has agreed to assist the Police Athletic League with some of their improvements. After a brief discussion, a motion by Schaeffer, seconded by Noll, to approve Resolution #459. All aye votes.

UPDATE AND REVIEW OF THE CHURCH OF THE LATTER DAY SAINTS STORMWATER MANAGEMENT MATTER - Mr. Cotter provided an update with regards to the Church of the Latter Day Saints stormwater management issue and stated there is a shortfall of approximately \$15,000 - \$17,000 to complete the project based on the current estimate received by the Township. Mr. Cotter requested direction from the Board as to how the project will be funded whether by the Township, the affected Mangers Mill Estates property owners or a combination thereof. It was noted that the Church is offering \$16,750 to resolve the drainage issues. After discussion, it was agreed that Mr. Cotter would meet with the Mangers Mill Estates homeowners and developer Richard Mingey to discuss funding options in order to resolve the drainage issues.

OFFER OF NINETY (90) DAY PLAN REVIEW EXTENSION FOR THE RENOVATIONS BY DESIGN HANOVER ESTATES LAND DEVELOPMENT PLAN - Mr. Cotter stated that the Board previously granted a 278 day extension for review of the Hanover Estates plan and the developer was directed to use that time to make substantial renovations to the sketch plan. Mr. Mingey, who was present to discuss the work that has been accomplished, explained that the

HANOVER ESTATES REVIEW EXTENSION CONT'D - Hanover Estates plan abuts the Bachman tract and noted one of the recommendations of the Planning Commission was to combine the open space parcels. He further noted that he is currently in negotiations with the Rosen Group to purchase the Hanover Estates property. Commissioner Schaeffer expressed his concern regarding granting numerous extensions for review of the subdivision plan. After discussion, a motion by Schaeffer, seconded by Noll, to approve a sixty two (62) day extension for review of the Hanover Estates Subdivision plan which is to expire on November 29, 2005. All ay votes.

POTTSTOWN PUBLIC LIBRARY FUNDING REQUEST - Lynn Burkholder explained the expanded services provided by the Pottstown Public Library and requested a ten (10) percent increase in the Township's annual allocation for the year 2006.

APPOINTMENT TO THE TOWNSHIP FIRE COMMITTEE - Mr. Cotter reported he received applications from two Township residents - Robert Sloss and Renee Hoffman to serve on the Fire Committee. A motion by Noll, seconded by Reeves, to appoint Robert Sloss and Renee Hoffman to the Fire Committee for a three (3) year term. All aye votes.

SCOTT WAGNER - 85 Mapleleaf Lane - Expressed his thanks and appreciation to Mr. Sloss and Mrs. Hoffman for volunteering their services to the Fire Committee. A motion by Noll, seconded by Schaeffer, to appoint Commissioners Noll and Schaeffer to the Fire Committee. All aye votes.

APPOINTMENT OF THE UPPER POTTS GROVE TOWNSHIP FIRE COMPANY NO. 1 PRESIDENT - This matter was tabled to a future meeting.

REVIEW OF DRAFT SNOW PLOWING POLICY - This matter was tabled to a future meeting.

INTRODUCTION AND REVIEW OF DRAFT EMPLOYEE PERFORMANCE EVALUATION SYSTEM - Mr. Cotter introduced the draft of the employee performance evaluation system to the members of the Board and noted the policy has been reviewed by both the Administrative staff and the Public Works Director.

APPOINTMENT OF TOWNSHIP'S ANIMAL CONTROL OFFICER - Mr. Cotter reported the Township's Animal Control Officer has resigned and noted that John Daywald will be appointed as the new Animal Control Officer pending the execution of an agreement that is suitable with the Township Solicitor. Commissioner Noll suggested the Board review the agreement outlining the duties and responsibilities of the Animal Control Officer prior to his appointment.

DIANA UPDEGROVE - 1404 Farmington Avenue - Requested a clarification as to whether the Animal Control Officer's duties would include calls regarding wild animals.

ROBERT SLOSS - 2097 Needhammer Road - Referenced the monthly Police Report and noted there were eight (8) dog complaints handled by the Police Department and questioned if the Animal Control Officer would now handle these complaints.

WOODBROOK ESCROW RELEASE #1 - \$73,400.00 - A motion by Gallisdorfer, seconded by Schaeffer, to authorize the escrow release in the amount of \$73,400.00 for the Woodbrook Subdivision as recommended by the Township Engineer. Aye votes: Gallisdorfer, Noll, Schaeffer and Taylor. Abstain: Reeves. Motion carried.

COMMISSIONERS COMMENTS:

COMMISSIONER REEVES - Expressed her concern regarding earth disturbance without stabilization within the Woodbrook Townhome Development.

COMMISSIONER GALLISDORFER - Questioned when the Township would be taking official action on the public water installation with regards to mandatory connections.

APPROVAL OF BILL LIST - A motion by Schaeffer, seconded by Gallisdorfer, to approve the Bill List dated September 28, 2005, for General Fund in the amount of \$58,184.97; Fire Fund in the amount of \$1,565.51; Park and Recreation Fund in the amount of \$73.00; Sewer Fund in the amount of \$39,018.13 and State Fund in the amount of \$633.21. Total Expenditures - \$99,474.82. All aye votes.

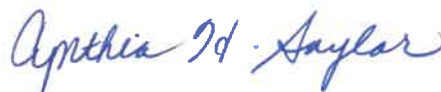
ROBERT SLOSS - 2097 Needhammer Road - Questioned the invoice from Reinsel, Kuntz and Leshar in the amount of \$600.00 as depicted on the Bill List. Mr. Cotter explained that Reinsel, Kuntz and Leshar are the Township auditors and they assisted with some accounting issues.

APPROVAL OF MINUTES - August 22, 2005 - A motion by Noll, seconded by Gallisdorfer, to approve the minutes of the August 22, 2005, meeting as presented. All aye votes.

APPROVAL OF MINUTES - September 14, 2005 - A motion by Gallisdorfer, seconded by Reeves, to approve the minutes of the September 14, 2005, meeting as presented. Aye votes: Gallisdorfer, Noll, Reeves and Taylor. Abstain: Schaeffer. Motion carried.. Mr. Schaeffer explained that he was not present at the September 14 meeting.

ADJOURNMENT - There being no further business, a motion by Gallisdorfer, seconded by Schaeffer, to adjourn the meeting at 9:28 P.M. All aye votes.

Respectfully submitted,



Cynthia H. Saylor
Township Secretary