

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

**February 21, 2006**

A meeting of the Board of Commissioners was held on Tuesday February 21, 2006, at the Upper Pottsgrove Township Administrative Office, 1409 Farmington Avenue, with Commissioners Dolan, DeLena, Iatesta, Noll and Taylor present. Also present were Solicitor Charles D. Garner, Jr., Township Engineer John Theisen and Township Secretary Cynthia Saylor. Mr. Taylor called the meeting to order at 7:00 P.M. There were 25 people and a Mercury reporter present in the audience. Mr. Taylor reported Mr. Cotter was unable to attend the meeting due to personal reasons.

**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.

**EXECUTIVE SESSION** – Mr. Taylor reported the Board met in Executive Session prior to the meeting to discuss legal matters.

**PUBLIC COMMENT:**

**ROBERT SLOSS – 2097 Needhammer Road** – Suggested the Board seriously consider appointing Acting Chief Steven Sigoda to the position of Police Chief. Mr. Sloss noted that Officer Sigoda has done an excellent job as Acting Police Chief.

**GIBLERT DUNCAN – 72 Hanover Drive** – Stated he was in agreement with Mr. Sloss regarding his comment pertaining to Acting Chief Sigoda. Mr. Duncan expressed his concern regarding the termination of a former employee from the Administrative office.

**HENRY BEALER – 1382 Farmington Avenue** – Expressed his concern regarding the torn flag on the cell tower. Commissioner Noll stated the matter would be taken care of tomorrow.

**REG LEISTER – 1693 Farmington Avenue** - Suggested abandoning the idea of flying a flag on the cell tower and noted it is not a respectful way to fly the flag.

**WILLIAM HINTON – 1379 Farmington Avenue** – Requested an update regarding the public water installation and questioned whether repairs will be made once the water is installed. Mr. Taylor reported that a public meeting will be held on April 19, 2006, to address all the issues and concerns with regards to the public water installation.

**GILBERT DUNCAN – 72 Hanover Drive** – Stated the Township should take down the torn flag and demand a new flag and pole from American Tower.

**ROBERT SLOSS – 2097 Needhammer Road** – Noted the condition of the flag is a reflection of the Township.

**CARL SPECHT - 150 Primrose Lane** – Expressed concern that American Tower is not fulfilling their contract with regards to the flag on the cell tower.

**COMMISSIONER NOLL** - Stated he spoke with the site manager with regards to an alternative plan; however he needs the approval from American Tower before he can implement the changes. Mr. Noll suggested the Township send a letter to American Tower requesting them to adopt the manager's alternative plan and change the pole's configuration.

When **GERALD PORTER, 172 Hanover Drive**, questioned who is responsible for bringing the public water; Mr. Taylor stated that hasn't officially been determined. Mr. Taylor further stated the Township has been in negotiations with Superior Water and the Pottstown Borough Authority with regards to the public water installation. Mr. Porter stated he would rather have a filtration system in his home than hook up to public water and noted he is not in favor of mandatory hook when a home is sold.

**JAMES LANDIS – 1381 Farmington Avenue** – Stated installing public water will allow the plume of underground pollution to spread further.

**HENRY BEALER – 1382 Farmington Avenue** – Stated the entire Township should be checked for TCE. Mr. Taylor stated the Commissioners are doing the best we can to protect the health and safety of the community.

**COMMISSIONER COORDINATORS** – Mr. Taylor explained the Commissioner Coordinator positions and reported that Commissioner DeLena would be responsible for Administration and Finance, he would be responsible for Planning and Zoning, Commissioner Iatesta would be responsible for Public Works and Infrastructure, Commissioner Noll would be responsible for Emergency Services and Commissioner Dolan would be responsible for Park and Recreation and Open Space.

**COMMISSIONER NOLL** – Stated a copy of the Fire Company report would be posted on the bulletin board along with the monthly Police report.

**DEIDRE SLIFER - 1443 Farmington Avenue** – Requested clarification regarding the Coordinator positions.

**COMMISSIONER TAYLOR** – Reported the Planning Commission met and discussed future ordinance amendments, village commercial zoning along Farmington Avenue and reviewed an ordinance requiring sprinkler systems in all new construction.

**COMMISSIONER IATESTA** - Discussed some upcoming changes to the Public Works Report.

**COMMISSIONER DOLAN** – Reported the Township's Open Space Plan will be presented to the Montgomery County Open Space Board at the end of the month.

**ENGINEER'S REPORT** – A copy of the monthly Engineer's report will be posted on the bulletin board.

**SOLICITOR'S REPORT** – Attorney Garner summarized his monthly activities which included the preparation of several agreements for open space acquisition, the final draft of the police contract, an amendment to the SALDO ordinance, and an update with regards to the Wolf Run project. Mr. Garner noted the SOCO/Skarbek project has recently been sold to TH Properties.

**ACTION ON RESOLUTION #484, Authorizing the Township to participate in the Anti-Defamation League's No Place for Hate Campaign** – Pauline Garcia, Director for the Anti-Defamation League was present to discuss the No Place for Hate Program. A motion by Delena, seconded by Iatesta to adopt Resolution #484. All aye votes.

**AUTHORIZATION TO PURCHASE DELL COMPUTERS FOR NETWORK AND ADMINISTRATIVE USE IN AN AMOUNT NOT TO EXCEED \$9,500** – Discussion on this matter was tabled to a future meeting.

**DISCUSSION AND POSSIBLE ACTION ON PATEL CONDITIONAL USE** – Attorney Garner provided a brief history with regards to the applicant's request for a Conditional Use to allow the property located at 409 Evans Road to be subdivided as Standard Lotting rather than Neighborhood Lotting. **DEIDRE SLIFER - 1443 Farmington Avenue** – Expressed concern with regards to the 20 foot distance between the proposed house and the nearest wetland. Commissioner Iatesta explained there is no actual setback requirement contained in the current ordinance with regards to wetlands. **CARL SPECHT - 150 Primrose Lane** – Expressed concern with regards to enforcement in relationship to the wetland area. Attorney Garner stated the Township through the Code Enforcement Officer. A motion by Iatesta, seconded by Dolan, to grant approval of the Conditional Use subject to the following conditions: the Applicant's final subdivision plan shall be substantially similar to the proposed subdivision depicted by Applicant's Exhibit 2, unless waived or varied as a result of this Conditional Use Order or other zoning relief, the Applicants shall comply with all other applicable requirements of the Township Subdivision and Land Development Ordinance and the Township Zoning Ordinance, the Applicants shall utilize best practice design standards for storm water control in order to prevent negative impact on the subject or any adjacent property, the Applicant's will develop an acceptable engineering resolution to minimize and control the impact of roadway construction across delineated wetland area, the Applicants will insure, to the reasonable satisfaction of the Township Engineer, that adequate erosion and sediment controls are in place which shall be a condition of final subdivision approval, the Applicants will enter into a Conservation Easement Agreement in a form acceptable to the Township to protect the Conservation Areas designated on A-2, the Applicants shall not construct any structures within twenty feet (20') of any delineated wetlands on any of the proposed lots. The Applicant shall place a no disturbance line on the final subdivision plan to delineate the no disturbance line, the Applicants' shall comply with all other local, state and federal Ordinances, rules and regulations applicable to the proposed development of the subject property. All aye votes.

**AWARD OF THE SNYDER ROAD STORMWATER DRAINAGE IMPROVEMENT PROJECT BID TO DAN MALLOY PAVING INC IN THE AMOUNT OF \$23,900.00** – A motion by Dolan, seconded by Noll, to award the Snyder Road Stormwater Drainage Improvement Project Bid to Dan Malloy Paving, Inc. in the amount of \$23,900.00. Aye votes: DeLena, Dolan, Noll and Taylor. Abstain: Iatesta. Motion carried.

**AUTHORIZATION FOR MARK McCLELLAND LOT #70 HEATHER PLACE, TO CONNECT TO THE PUBLIC SEWER SYSTEM** – A motion by DeLena, seconded by Iatesta, to authorize Mark McClelland to connect to the public sewer system. All aye votes.

**RENOVATIONS BY DESIGN CURATIVE AMENDMENT HEARING** – Attorney Chuck Garner stated the hearing will be continued to March 20, 2006 at 8:00 P.M.

**PUBLIC COMMENT:**

**ROBERT SLOSS – 2097 Needhammer Road** – Addressed Township Engineer John Theisen and requested an update with regards to the installation of the detention basin within the Highview II Subdivision. Mr. Theisen reported that at the Township's direction he sent the Developer of the Highview II Subdivision a letter advising him that his stormwater system is not in accordance with the approved plan and he could either correct the problem or submit a study for Township review of how what was installed would function. Mr. Theisen noted that as of this date there has been no reply; however the deadline is March 1, 2006.

**CARL SPECHT – 150 Primrose Lane** – Referenced the Manager's contract and noted he has the authority to hire and fire and expressed concern that the Township Staff can only take direction from the Township Manager and not the Commissioners. Mr. Specht also expressed concern regarding numerous unlicensed vehicles within the Township. Mr. Garner stated Mr. Specht's concern would be addressed under the property maintenance code.

**ROBERT SLOSS – 2097 Needhammer Road** – Commended the members of the Board for taking the time to "walk" the Patel property along Evans Road.

**WILLIAM HINTON - 1379 Farmington Avenue** – Expressed concern regarding speeding vehicles along Farmington Avenue and noted there needs to be more police coverage.

**MICHELLE REDDICK – 1020 Levengood Road** – Stated that she has seen Upper Pottsgrove Township Police Officers on Farmington Avenue conducting speed checks.

**COMMISSIONER DOLAN** – Stated the contract with American Tower with regards to the cell tower should be reviewed.

**COMMISSION NOLL** – Requested the Township staff to direct a letter to American Tower to look into their alternate plan for the cell tower. Commissioner Noll reported the Fire Committee hold their monthly meeting on the third Thursday of every month.

**COMMISSIONER NOLL** – He further reported that the Fire Committee has recommended that the Township send formal thank you letters to the surrounding Fire Companies for their support during the last year. Mr. Noll advised that the Fire Company received a thank you note with regards to the Santa Run during the holidays and stated the note would be posted on the bulletin board.

**PAYMENT OF BILLS** – A motion by Dolan, seconded by DeLena, to approve the Bill List dated February 21, 2006, for General Fund in the amount of \$59,212.28; Fire Fund in the amount of \$190.41; Park and Recreation Fund in the amount of \$10.96; Sewer Fund in the amount of \$16,841.02 and State Fund in the amount of \$156.40. Total Expenditures - \$76,411.07. All aye votes.

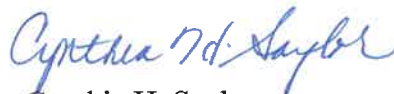
**HENRY BEALER – 1382 Farmington Avenue** – Expressed a concern that the Township paid New Hanover Township Fire Company too much money for the fire services they provided.

**APPROVAL OF MINUTES – February 6, 2006** – A motion by Iatesta, seconded by DeLena, to approve the February 6, 2006, minutes as amended. All aye votes.

**EXECUTIVE SESSION** – At 8:25 P.M. Mr. Taylor stated the Board will hold an Executive Session to discuss matters of personnel and litigation with no decisions being made. The meeting reconvened at 9:22 P.M.

**ADJOURNMENT** – There being no further business, the meeting adjourned at 9:25 P.M.

Respectfully submitted,



Cynthia H. Saylor  
Township Secretary