

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

March 20, 2006

A meeting of the Board of Commissioners was held on Monday, March 20, 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 Manager Michael Cotter 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.

EXECUTIVE SESSION – Mr. Taylor reported the Board met in Executive Session prior to the meeting and on Saturday, March 18, to discuss personnel and litigation issues.

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.

PUBLIC COMMENT:

JON DOWNEY - 1802 Laura Lane – Stated he was present on behalf of the residents within the Cherrytree Farms Development and expressed concern regarding the increase in traffic since the development of the Woodbrook Townhomes. Mr. Downey provided a petition with signatures from the residents requesting that the Township install speed bumps in an effort to slow down the traffic. Mr. Cotter stated the Police Chief and Public Works Director will look into the matter.

GILBERT DUNCAN - 72 Hanover Drive – Expressed concern regarding the amount of money transferred between the Sewer Fund and the General Fund.

MELONEY MORAIS - 1485 Lotus Drive – Referenced a conversation she had with the Public Works Director regarding the cleaning of Lotus Drive and questioned how someone in his position can speak to a resident the way he did. Mrs. Morais questioned when Lotus Drive will be cleaned of the debris from the recent sewer work and noted that both Heather Place and Primrose Lane have already been cleaned. Mr. Cotter stated he would speak with Mrs. Morais and the Public Works Director and look into the matter.

CURT FREY – 1478 Lotus Drive – Expressed his concern regarding the manner in which the streets within the Greengate Development were swept and noted the streets are still full of debris.

CARL SPECHT - 150 Primrose Lane – Provided pictures of the dust and debris on the streets within the Greengate Development. Mr. Specht stated he was told by the Public Works Director that it was the contractor's responsibility to clean the streets. Mr. Specht questioned why the work could not be done by the Highway Department.

ROBERT SLOSS – 2097 Needhammer Road – Requested an update with regards to the lack of speed limit signs in the Mangers Mill Estates Subdivision. Mr. Cotter stated this matter would be on the April agenda for Board action.

ROBERT SLOSS CONT'D – When Mr. Sloss questioned the status of the flagpole; Mr. Cotter stated he is looking into the matter with American Tower. When Mr. Sloss referenced the residency clause within the Personnel Policy requiring the Manager to reside in the Township; Mr. Taylor stated there is no requirement. Mr. Garner noted there is a waiver within the Manager's contract regarding the residency clause. Mr. Sloss requested an update concerning the Highview II detention basin. Mr. Taylor reported a stop work order has been issued.

CONNIE SWEIGERT – 991 Farmington Avenue – Stated her concerns regarding the Coddington View subdivision still have not been addressed. Mr. Cotter advised Mrs. Sweigert that he along with the project manager from TH Properties will meet with her to address her concerns and come up with a mutually acceptable solution.

EMERGENCY SERVICES COMMISSIONER COORDINATOR – Mr. Noll stated the Police and Fire Reports will be posted on the bulletin board. Mr. Noll advised the Fire Company will sponsor the following upcoming events: CPR training for the Fire Company members on April 8, a boot drive on March 25 and March 26, an Easter Egg Hunt on April 15, 2006 at Heather Place Park and a Flower Sale on April 14 and 15 at the Firehouse. Mr. Noll stated the Fire Committee is pursuing an active search for a new Emergency Operations Coordinator and application forms will be available on the website.

REG LEISTER - 1693 Farmington Avenue – Questioned whether the Police Department's SOP manual will be posted on the township's website. Mr. Cotter stated he would check with the new Police Chief. He further stated that copies of the Police Department's SOP manual are available at the Administrative Office and the Police Office.

HENRY BEALER – 1382 Farmington Avenue – Questioned why the Board doesn't appoint the Acting Chief as Police Chief since he has been doing the job for the last two years. Mr. Noll stated that would be handled during the interview process.

PLANNING & ZONING COMMISSIONER COORDINATOR – Mr. Taylor summarized the highlights of the Planning Commission Meeting as noted in his reported dated March 13, 2006.

PUBLIC WORKS COMMISSIONER COORDINATOR – Mr. Iatesta reported on the tentative plans for future reconstructions, drainage improvements, overlays, surface treatments and traffic signals as submitted by the Public Works Director.

PARKS, RECREATION AND OPEN SPACE COMMISSIONER COORDINATOR – Mr. Dolan reported the Township's Open Space Plan was presented to the Montgomery County Planning Commission for their review. The Open Space Committee is requesting permission to enter into negotiations for the acquisition of a parcel located at the intersection of West Moyer and Evans Roads. Mr. Dolan reported the Park and Recreation Committee are looking to appoint Jill Ludy to the joint Pottsgrove Recreation Board. He further reported the Park and Recreation Committee will be holding a joint meeting with Lower Pottsgrove Township.

ADMINISTRATION COMMISSIONER COORDINATOR - Mrs. DeLena reported that Kyle Leshar has accepted the conditional offer of employment with the Police Department and Richard Dillon has accepted the conditional offer of employment for the position of Building Inspector. She also reported the employees have participated in mandatory Diversity Training and the Township is in the process of establishing a No Place for Hate Committee and noted the Committee is in need of volunteers. Mrs. DeLena stated the members of the Board have participated in two Strategic Planning sessions to discuss the future plans for the Township.

TOWNSHIP ENGINEER'S REPORT – Mr. Cotter reported site work has begun at the Summer Grove project located at Pineford and Chestnut Grove Roads and provided an update regarding the Maugers Mill drainage project. He further reported a notice to proceed regarding the Snyder Road drainage project will be issued next week.

TOWNSHIP SOLICITOR'S REPORT – Mr. Garner provided an update with regards to the on going police negotiations and the Wolf Run water project.

TOWNSHIP MANAGER'S REPORT – Mr. Cotter expressed his thanks and appreciation to the members of the Board for their time in discussing the Township's Strategic Plans for the future.

COG REPORT – Mr. Iatesta reported the COG meeting was held at the Township office on March 14 and discussed the following topics: an update of the area Regional Planning, CMERT operations and stormwater issues. He further reported the main topic of discussion was regarding the Pottstown Patriot Award. Mr. Iatesta explained it is an award presented by New Hanover Township to a firefighter, an emergency responder, a police officer or a fire policeman who shows over and above dedication to their job and the community. Mr. Iatesta stated the members of COG would like to present a Pottstown Area COG Patriot Award and asked that the members of the Board submit two names of eligible candidates.

ACTION ON ORDINANCE #392 AMENDING THE TOWNSHIP'S SANITARY SEWER RENTAL CHARGES – An Ordinance amending Chapter 275, Sewers and Sewage Disposal, of the Upper Pottsgrove Township Code, as amended, for the purpose of amending Sanitary Sewer Rental Charges. A motion by Dolan, seconded by DeLena, to adopt Ordinance #392 increasing the sewer rental charges effective July 1, 2006. All aye votes.

AUTHORIZATION TO ADVERTISE AN ORDINANCE REGULATING CONNECTION TO THE TOWNSHIP'S PUBLIC WATER SYSTEMS – Mr. Taylor summarized the requirements of the proposed ordinance.

DEIDRE SLIFER - 1443 Farmington Avenue – Requested clarification with regards to a back flow preventer. Mr. Cotter explained a back flow preventer keeps water from going from your well into your house.

GILBERT DUNCAN – 72 Hanover Drive – Expressed concern that the “culprit” responsible for the water contamination hasn’t been identified. Mr. Cotter stated that DEP is still looking into the matter.

CARL SPECHT – 150 Primrose Lane – Requested clarification as to why a property owner whose well is not contaminated must hook into the public water system when their home is sold.

After further discussion, a motion by DeLena, seconded by Iatesta, to authorize advertisement of the ordinance as amended. All aye votes.

ROBERT SLOSS – 2097 Needhammer Road – Expressed his concern that the Board is adopting the proposed ordinance prior to the special meeting with the residents. Mr. Sloss suggested a copy of the ordinance be given to the affected residents prior to the Board voting on it. Commissioner Taylor noted the importance of moving forward with the water connection ordinance and referenced deadlines and agreements that need to be met in order to secure adequate funding. He further noted that the Commissioners have been keeping the public updated over the course of the last year and have considered their input while crafting this ordinance. Mr. Taylor stated that this ordinance will allow the Commissioners to uphold their commitment and duty to provide a safe water supply to those residents whose wells have been contaminated.

Mr. Cotter clarified that the special meeting with the residents is about the scope of the project not the connection ordinance. Mr. Cotter reported the special meeting will be held on April 19, 2006, at the Pottsgrove Middle School from 5:00 PM to 9:00 PM. The meeting format will feature “walk through stations” staffed by experts from both the Township and DEP to answer questions and concerns from the affected residents.

DAVID INGRAM – 467 Evans Road – Requested clarification as to whether his son’s property is included in the “plume area.” Mr. Taylor stated a list of all residents included in the “plume area” is available at the administrative office. Mr. Cotter stated everyone in the “plume area” will receive a letter from the Township notifying them of the special meeting on April 19th.

RENOVATIONS BY DESIGN CURATIVE AMENDMENT HEARING – Attorney Garner stated the Curative Amendment Hearing will be continued until April 18, 2006 at 8:00 P.M.

AUTHORIZATION TO ADVERTISE AN ORDINANCE AMENDING SECTION 36-6 OF THE TOWNSHIP’S CODIFIED ORDINANCES, TO AMEND CERTAIN PERSONNEL PRACTICES IN THE TOWNSHIP – A motion by Noll, seconded by Dolan, to authorize advertisement of the ordinance amending certain personnel practices in the Township. All aye votes.

ACTION ON RESOLUTION #484, AMENDING §802.5 AND §803 OF THE TOWNSHIP’S PERSONNEL POLICY MANUAL – The Board agreed to table action on this matter to a future meeting.

APPOINTMENT OF JILL LUDY TO REPRESENT THE TOWNSHIP ON THE POTTS GROVE REGIONAL RECREATION BOARD – The Board agreed to table action on this matter to a future meeting.

ACTION ON THE MONTGOMERY COUNTY BOARD OF ELECTIONS LEASE AGREEMENT – A motion by Dolan, seconded by DeLena, to approve and authorize the lease agreement with the Montgomery County Board of Elections. All aye votes.

ACTION ON THE RECOMMENDATION OF THE OPEN SPACE COMMITTEE - A motion by Dolan, seconded by Iatesta, to begin negotiations on the acceptance of Property 2006-B into the Township's Open Space Plan, and to retain the Services of Indian Valley Appraisers to conduct an appraisal of the property, in an amount not to exceed \$3,000. All aye votes.

ACTION ON THE POTTS GROVE SCHOOL DISTRICT'S HOLLENBACH USE AND MAINTENANCE AGREEMENT – A motion by DeLena, seconded by Noll, to execute the Pottsgrove School District's Hollenbach Use and Maintenance Agreement. All aye votes.

OFFER OF A NINETY (90) DAY PLAN REVIEW EXTENSION FOR THE 409 EVANS ROAD LAND DEVELOPMENT PLAN – A motion by Iatesta, seconded by DeLena, to approve a 90 day extension for review of the 409 Evans Road Land Development Plan. All aye votes.

JOHN OXENFORD - 205 Maugers Mill Road - Introduced himself as the citizen representative to the Pottsgrove Joint Recreation Board.

REVIEW OF DRAFT TOWNSHIP NEWSLETTER – The Board discussed the proposed format of the Township Newsletter. Mr. Cotter reported a draft version of the Township Newsletter will be available in April.

ACTION ON RESOLUTION #487, AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT WITH THE OTHER MONTGOMERY COUNTY COMMUNITIES FOR LEGAL SERVICES TO NEGOTIATE WITH VERIZON FOR CABLE SERVICES – A motion by DeLena, seconded by Iatesta, to adopt Resolution #487. All aye votes.

REVIEW OF THE PROPOSED UPPER POTTS GROVE TOWNSHIP FIRE COMPANY NO #1 BYLAWS – Commissioner Noll reported the Upper Pottsgrove Township Fire Company bylaws and addendum have been reviewed by the Fire Committee. Mr. Noll provided a brief outline of the Addendum of the Fire Company Bylaws dated February 16, 2006. After a brief discussion, the Board agreed to table further discussion on this matter to allow the Solicitor sufficient time to review the Addendum to the Fire Company Bylaws.

RESOLUTION AUTHORIZING THE UPPER POTTS GROVE TOWNSHIP FIRE COMPANY NO. #1 FIRE CHIEF THE AUTHORITY TO ALTER THE MONTGOMERY COUNTY EMERGENCY DISPATCH RUN SCHEDULE – After a brief discussion, the Board agreed to table action on this matter to the next meeting.

ACCEPTANCE OF A CONDITIONAL OFFER OF EMPLOYMENT TO KYLE LESHER FOR THE POSITION OF POLICE OFFICER – A motion by DeLena, seconded by Iatesta, to extend a conditional offer of employment to Kyle Leshar for the position of Police Officer. All aye votes.

ACCEPTANCE OF A CONDITIONAL OFFER OF EMPLOYMENT TO RICHARD DILLON FOR THE POSITION OF BUILDING INSPECTOR – A motion by DeLena, seconded by Noll, to extend a conditional offer of employment to Richard Dillon for the position of Building Inspector. All aye votes.

PUBLIC COMMENT:

CARL SPECHT - 150 Primrose Lane – Expressed his concern that the meeting agenda was not posted on the Township's website.

JOHN OXENFORD - 205 Mangers Mill Road – Expressed concern regarding the lack of Board representation at the Pottsgrove Joint Recreation Board meetings.

COMMISSIONERS COMMENTS - There were no comments from the Commissioners.

APPROVAL OF BILL LIST – March 20, 2006 – Mr. Cotter noted there were three additions to the Bill List dated March 20, 2006 and noted them as follows a reimbursement for petty cash in the amount of \$183.99; the lease payment for the police vehicles in the amount of \$979.29 to Ford Motor Credit and a reimbursement to Officer Crawford in the amount of \$300.00. A motion by Iatesta, seconded by DeLena, to approve the Bill List dated March 20, 2006, for General Fund in the amount of \$38,431.01; Fire Fund in the amount of \$2,605.70; Park and Recreation Fund in the amount of \$10.87; Sewer Fund in the amount of \$50,782.71 and State Fund in the amount of \$2,231.47. Total Expenditures \$94,061.76. All aye votes.

APPROVAL OF MINUTES - February 21 and March 6, 2006 – A motion by DeLena, seconded by Iatesta, to approve the minutes of the February 21, 2006 and March 6, 2006, meetings as presented. All aye votes.

ADJOURNMENT – There being no further business, a motion by DeLena, seconded by Noll, to adjourn the meeting at 9:20 P.M. All aye votes.

Respectfully submitted,

Cynthia W. Taylor