

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

August 21, 2006

The meeting of the Board of Commissioners was held on Monday, August 21, 2006, at the Upper Pottsgrove Administrative Offices, 1409 Farmington Avenue, with Commissioners DeLena, Dolan, Iatesta, Noll and Taylor present. Also present were Township Solicitor Charles D. Garner, Jr., Township Engineer John Theisen, Public Works Director Frank Quinter, Township Manager Jack P. Layne, Jr. and Township Secretary Cynthia Saylor. There were 35 people present in the audience. Mr. Taylor called the meeting to order at 7:03 P.M.

MOMENT OF SILENCE - Mr. Taylor 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.

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

RULES OF DECORUM FOR PUBLIC MEETINGS - Commissioner Taylor read the following statement: Tonight the Board of Commissioners is considering a Resolution concerning the Rules of Decorum for Public Meetings. Sad to say, that we live in an age where crude language and coarse behavior has become a matter of fact rather than a matter of concern. Our public meetings frequently reflect such disrespectful behavior. Just this weekend, the Mercury described another local community where “verbal shots at colleagues, arguments, and insinuated insults among the people both at the governing table and in the audience occur at nearly every public meeting, and where the level of civility and professionalism is diminishing, just as the tone and volume of insults is rising.” The editor concluded by stating that, “there is too much work to be done.” And it is that last observation that justifies our action here tonight. In hopes of conducting the people’s business in the most efficient and professional manner, this Board has been careful in its public meetings to extend every courtesy and consideration to each other and to the audience. The proposed Rules of Decorum confirm and ratify these efforts and requires they be reciprocated in kind by all those in attendance. Decorum simply means doing things in an orderly and polite manner. No one should be concerned that their adoption will change the current framework of our meetings or limit your right to address appropriate concerns with your elected officials. In fact, if taken to heart, they should actually encourage more useful dialogue, as people feel more comfortable to attend and speak out without having to suffer insults and embarrassing tirades.

A motion by Iatesta, seconded by DeLena, to adopt Resolution #494. All aye votes.

ROBERT SLOSS – 2097 Needhammer Road – Questioned whether the Rules of Decorum for Public Meetings were already in the First Class Township Code. Mr. Garner said that nothing to this degree and this specificity was in the Code. Mr. Sloss asked if this in any way conflict with the First Amendment Right. Mr. Garner assured that it does not.

SPECIAL COMMENT - Commissioner Taylor read the following statement in regard to the recent tragic accident that occurred in the Township: It’s natural to ask, “WHY?”, when we’re faced with a tragedy such as this. A young boy has died, his family and friends are devastated, a passing motorist is distraught, and a community must decide how to respond. As a parent of an adolescent child myself, I pray that somehow she will be protected from her own youthful sense of invincibility.

Upon hearing the news, I'm sure that all parents thought the same thing, "There but for the grace of God" this could just as easily have been my child, my family, my grief to bear. I can't imagine ever getting over the loss of a child and doubt that any answers to the "WHY" question would ever be entirely satisfactory. We know that even the most rational answer cannot turn back the clock even for just a few seconds and maybe change what's happening. But we can search for some amount of closure in the hope that others will be spared a similar fate to our experience. The Township can facilitate such a hope through its investigation and recording of the accident. It can also provide a public forum to receive, evaluate and recommend practical suggestions for the safety of its citizens throughout the community. Commissioner Taylor went on to say that Police Chief Ross has already prepared some preliminary information which was shared by Chief Ross. On August 17, at approximately 10 AM, the police were told that a tragic accident had occurred on the 1300 block of Chestnut Grove Road. The accident involved a pick-up truck and John Dear, age 12, of 1369 Chestnut Grove Road and was visiting a resident at 1391 Chestnut Grove Road. He was on his bicycle riding down a very steep driveway. The driveway had vegetation along the north side. At the bottom of the driveway the boy entered the roadway, without stopping, directly in front of a southbound pick-up truck driven by a 69-year old man. They collided. The boy was not wearing a helmet. He died of multiple injuries to his chest. According to a witness, the driver was traveling within the speed limit. The investigation is ongoing.

GARRETT AMES - 1371 Chestnut Grove Road – Asked Chief Ross about the speed of the vehicles in the development. Over the weekend, the police conducted a study using a speed timing device. Chief Ross found 1,316 vehicles that were traveling in same the direction that the truck was traveling in. The average speed of the vehicles was 26.53 mph and 85% of those were traveling at 34 mph. 1,422 vehicles traveling in the opposite direction were going at an average speed of 25.9 mph. Chief Ross said that this will be rerun at a later date.

ROBERT ANTHONY – 1376 Chestnut Grove Road – Asked specifics about the speed timing device. Chief Ross explained that it is a radar gun that with a computer and it times in both directions.

WILLIAM HEWITT – 1387 Chestnut Grove Road – Mentioned that, at the scene of the accident, there is a memorial slowing down the traffic. He also asked if issues with Chestnut Grove Road could be brought up at this time. Commissioner Taylor said that since information is still being gathered, he is not looking for a debate at this time but assured that details would be worked out at a later date.

GARRETT AMES - 1371 Chestnut Grove Road – Said that seven cars blew the stop sign on his road. There were children playing there and he is deeply concerned. He asked if the police could do something. Chief Ross assured that the municipality will address it.

CATHERINE LAYMAN – 1395 Chestnut Grove Road – Is concerned about the high level of traffic on her road and how unsafe it is for residents to walk on the road, being that is so narrow and there are not sidewalks to walk on. She asked that the Township have the future developers put in wider streets. Chief Ross understood and said that this issue is something that needs to be looked at.

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JANE HEWITT – 1387 Chestnut Grove Road – Ms. Hewitt was at the accident scene. She asked how wide the roads should be. Commissioner Taylor said that there is no mandated width for a road. He also said that wider roads do not slow people down and that these kinds of issues will be discussed at a later date.

ROBERT ANTHONY – 1376 Chestnut Grove Road – Asked if the residents will have input on the issues. Commissioner Taylor said they will have input at the meetings where these things will be discussed. He also said that more than just one stretch of road will be considered – the community, as a whole, will be discussed.

HENRY BEALER - 1382 Farmington Avenue – Asked that the Township keep in mind that the trees should be kept back from the road by at least 15 feet so that motorists can see the road more clearly.

Commissioner Taylor asked that the residents make Mr. Layne aware of their concerns and that they will be addressed at a later date.

PUBLIC COMMENT:

ROBERT SLOSS – 2097 Needhammer Road – Mr. Sloss asked if the Rules of Decorum for Public Meetings document would be available for the public. Commissioner Taylor said that it would.

REPORTS:

EMERGENCY SERVICES - POLICE REPORT - Commissioner Noll summarized the monthly Police Report, which will be posted in the lobby, and Fire Emergency Services. There were 348 calls for the month of July and 105 officer-initiated contacts for the month of July compared to 216 calls for service and 192 officer-initiated contacts in the same July period of 2005. **FIRE REPORT** – Commissioner Noll reported that at its scheduled meeting this month, the fire company worked on finalizing the by-laws, which will be ready for Board review, and has increased its membership. They scheduled a boot drive for September 16th on the corner of Gilbertsville and Maugers Mill Roads. There will be recruitment letter sent to all the residents and Commissioner Noll said that anyone who would like to help out would have the volunteer application shortly in their mailboxes. The Company's roof needs to be repaired on the flat side to fix some leaks that are coming through to equipment below. They had borrowed \$200,000 for renovations to this building and will designate \$8,500 of that to stop the leaks. A motion by Noll, seconded by Iatesta, to accept the bid to repair the roof in the amount of \$8,500. All aye votes.

ROBERT SLOSS – 2097 Needhammer Road – Stated that he believed there was a grant in the process. Commissioner Taylor said that we hope to accrue most of that fee from a grant that we will likely receive in October or November.

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PLANNING & ZONING REPORT - Commissioner Taylor reported the Planning Commission met and discussed 409 Evans Road (seven homes). The developer has agreed to a lower density and is also going to make it possible for residents along that road to get their sewer connected without a grinder pump. It will require some waivers in order to accomplish the purpose of building these homes in such a way that the tender sections of the property are protected. The Planning Commission has been working on this.

REGIONAL PLANNING – Mr. Layne attended the last meeting on Commissioners Taylor's and De Lena's behalf. Mr. Layne said that the Regional Planning Commission approved a motion to provide a letter of approval regarding the acceptance of the Upper Pottsgrove Zoning Density Amendment.

PARKS, RECREATION AND OPEN SPACE REPORTS - Mr. Layne chaired the last meeting for Commissioner Dolan. Mr. Layne reported that we are moving forward with respect to recommending the approval of the signs for Heather Place, Mocharniuk Meadows, and Kulp Field. That's at a reduced price. We did get a written bid. There was discussion about maintenance at Mocharniuk and there was a recommendation that the stone walls of the barn be taken down and the hole filled in an expeditious manner. Mr. Dolan said that at the Open Space Meeting much of those same issues were discussed. The Mocharniuk property does seem to be a problem area. As a condition of the grant that the Township received from the County, we have to provide two parking spaces. This will be done shortly. DCNR is coming out to the Township this week to discuss some granting opportunities.

PUBLIC WORKS REPORT - Commissioner Iatesta reported that the Public Works has completed the drainage project beginning at the Pottsgrove Animal Hospital and continuing for approximately 280 feet due to the installation of storm water inlets and restructuring driveway aprons. They continue providing inspections for the new gas line installations and sewer upgrades that are on Farmington Avenue. Danella Construction will be on site the week of August 14 to continue the water main along North State Street. To date, we have done 195 Pa. 1 Calls for underground utility locations in-house. Debris has been removed and disposed of at the Mocharniuk property. Seventy-five feet of deteriorated paved shoulder has been reconstructed at 1500 Orlando Road. Pothole patching and compacting has been performed. Landscaping along Gilbertsville Road has been completed. Mowing and trimming of parks and open space continues. Mr. Quinter will be contacting Montgomery County Early Release Supervisor to schedule trash pick up along township roads in the next week. Commissioner Iatesta thanked Mr. Layne for solving the mail problem on Farmington Avenue.

ADMINISTRATION REPORT - Commissioner DeLena thanked everybody who assisted with the Township Newsletter. We are hoping to get another one out in October. We have contacted someone from outside to help with the Website. Hopefully we can get a volunteer to help.

PUBLIC HEARING - ORDINANCE #398 - An Ordinance of the Township of Upper Pottsgrove, Montgomery County, Pennsylvania, to Vacate a Portion of Chestnut Grove Road. Mr. Garner gave some background on this issue. A slight realignment and softening of that road will be

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accomplished.

JANE HEWITT – Stated that this was a fantastic improvement.

There being no further public comment, the hearing closed at 7:40 p.m.

ENGINEER'S REPORT - Mr. Thiesen highlighted a couple of items in the Report. That is that the Coddington View subdivision is moving ahead and now in the second phase. The sewer installation on Farmington Avenue is also moving ahead. The section in the middle has finally been completed and the section at the south end (borough line to Coddington View) has also been completed. Water mains have been installed in the Greengate subdivision and there is a paving contract that is very close to being ready for signatures to redo the roads there.

ROBERT SLOSS – 2097 Needhammer Road – Asked if Farmington Avenue was on schedule. Mr. Thiesen reported that it is only two to four weeks behind. Mr. Sloss then asked about the status of the Highview II subdivision. Mr. Thiesen said that there has been no action. Mr. Sloss asked how long this can go on. Commissioner Taylor said that this is now in litigation.

CARL SPECHT – 150 Primose Lane – Asked about the schedule of the Greengate paving. Commissioner Taylor told him that the water hook-ups will be completed before the road is paved this fall. Mr. Theisen said that Superior Water would be back out shortly and run the services from the main into the residences' properties. Mr. Specht said that the reason he questioned the status is because the road is in terrible shape – it's full of sink holes, etc. Mr. Theisen said that the plan is to grind all that up and put it back down as a good solid base and then pave over that. Mr. Specht asked the Township if they could repair the road somewhat if the paving could not take place this year. Commissioner Taylor said that there much construction going in the Township and there will be inconveniences there, like Farmington Avenue, and that we will do the best that we can under the circumstances.

ROBERT ANTHONY - 1376 Chestnut Grove Road – Asked if water would ever be brought to Chestnut Grove Road. Commissioner Taylor said that the water lines being put right now are being paid through DEP funding because of the TCE. So water is not going to areas that are not contaminated. Any water lines going to areas that are not contaminated will be paid for by the homeowner.

SOLICITOR'S REPORT - Mr. Garner reported that we are in discussion with Superior Water with respect to the sequence of construction. We are in the process of working with their contractor to determine where they should go after they return to the job with respect to installing mains or installing service lines. They have been very cooperative with us in starting the project before they really had to do that. Once they return, they will have several crews working on the project. Mr. Garner asked the Board to look at the Turnberry Farm Open Space Agreement with respect to Township obligations for maintaining open space within Turnberry is consistent with that agreement. We are very close to having a deed in our possession, offering that open space to the Township. Mr. Garner said that if he did not hear any comment from the Board by next week, he will send the

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agreement out to the homeowners' association so that they can sign both the deed and the agreement and return it to us for action at the next BOC meeting. Commissioner Iatesta commented that when this was started three years ago, he thought there was about \$100,000 in the association's account and now it is down to about \$80,000. Mr. Garner will ask them for an accounting of what they spent the money on. Mr. Garner reported that we have contacted the Board of Election with respect to the phraseology of the open space question and are awaiting a response. He also raised the subject about the new form for municipal bidding process (Municibid). Right now, when the Township wishes to dispose of its items, an ad is placed in the newspaper for a bid. This new process would allow many municipalities to place items up for bid on-line with the hope of getting more bidders this way. This will be offered for a trial period at no charge. Mr. Garner asked that, if there is no objection, Mr. Layne make contact with Municibid to find out more information. Mr. Garner then went on to comment that he had reviewed the Standard Operating Procedures (SOPs) for the Police Department (Code of Conduct and Use of Tasers). Chief Ross has been working on these, in consultation with our insurance company, and Mr. Garner found it to be very much in line. A motion by Noll, seconded by DeLena, to approve the updated policies submitted by Chief Ross and the police department. All aye votes.

ROBERT SLOSS – 2097 Needhammer Road – Asked if the \$100,000 is part of the Open Space Referendum. Mr. Garner replied that there was no money provided to the Township by the Turnberry Farm Homeowners' Association. Mr. Sloss said that on the 2006 budget he saw as part of the income \$100,000 from Turnberry. Mr. Garner told him that when the property is dedicated we will get those funds.

TOWNSHIP MANAGER – Mr. Layne reported that we met with DEP for the 1.9 million dollar grant and got approval from the representatives in Harrisburg for the grant. Now we can send in our invoices and get repaid for monies spent. We also spoke with DEP about the Regal Oaks operation. We have reviewed the proposed SOPs for Tasers presented by our insurance provider and determined that our Police Department can begin to use Tasers when necessary. Proper training will be provided. We met with Fulton, Citizens and Harleysville banks and talked about current and proposed investments. Township Newsletter has been mailed. Mr. Layne asked the residents to email him any articles they would like to see in future editions or any comments they may have about the Newsletter. Mr. Layne attended all the standing committee meetings this past month. He also attended the National Incident Management Training

FINANCIAL REPORT – Mr. Layne provided copies of the Financial Report for the month of July. He meets with Mrs. Saylor on a daily basis and has met with Mr. Bealer to make sure that everyone is comfortable with the financial situation. He remarked that working with Mr. Quinter who has been with the Township for 32 years ensures that we are moving in the right direction.

ROBERT SLOSS – 2097 Needhammer Road – Asked the Township Manager if the Township plans having a balanced budget at the end of the year. Mr. Layne replied that we are going to strive for a plus at all times.

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NEW BUSINESS:

APPOINTMENT OF ZONING OFFICER – Commissioner Taylor said that the Board recommends that we appoint our Code Enforcement Officer, Mr. Dillon, to be our Zoning Officer as well. All zoning and code enforcement questions will then be addressed at the Township office. A motion by Dolan, seconded by De Lena, to appoint Mr. Dillon our Zoning Officer effective September 1, 2006. All aye votes.

APPOINTMENT OF EMERGENCY MANAGEMENT COORDINATOR – Commissioner Taylor said that the Fire Committee and the Board both would like to recommend Mr. Layne, who has had experience in this area, to this position. A motion by Noll, seconded by Iatesta, to appoint Mr. Layne as Emergency Management Coordinator. All aye votes.

SALE OF MUNICIPAL ITEMS – This will be placed on a future agenda for approval if the Township has no problem going in that direction.

REGIONAL ZONING MAP AMENDMENT – Commissioner Taylor said that this amendment will address our quest to develop an age-restricted zoning within our community. He asked for permission to go before the Regional Planning Committee and share with them our plans for this. A motion by Iatesta, seconded by De Lena, to authorize Commissioner Taylor to approach the Regional Planning Committee. All aye votes.

ACTION ON ORDINANCE NO. 398 TO REALIGN CHESTNUT GROVE ROAD – Mr. Garner stated that this will allow Chestnut Grove Road to be vacated and aligned and maintained by the developer during the requisite time. Public Works will still, however, handle the snow plowing. A motion by Dolan, seconded by Noll, to approve Ordinance #398 to Vacate Chestnut Grove Road. All aye votes. A concurrent motion by Dolan, seconded by Noll, to approve and authorize the execution of the maintenance agreement with respect to the reconfiguration of Chestnut Grove Road. All aye votes.

5-YEAR WINTER TRAFFIC SERVICES WITH PENNDOT – A motion by Iatesta, seconded by De Lena, to approve the 5-Year Traffic Services with PennDOT. All aye votes.

PARTICIPATION IN REGIONAL PARK AND RECREATION PLAN – There was consensus to continue to research interest from other municipalities in regards to this plan.

FIRE COMPANY BYLAWS – This was tabled.

WOLF FUN PLUMBING CONTRACT AWARD – No one chose to bid on this. Mr. Theisen asked the Board for authorization to re-bid this project.

DEIDRE SLIFER – 1443 Farmington Avenue – Mrs. Slifer asked what the Township will do if the wells go bad and why certain houses along Farmington Avenue do not have to hook up to the water. Commissioner Taylor explained that, in the beginning, DEP was confused with who would be connected. DEP has mapped out the areas where the TCE contamination occurred. Mrs. Slifer

asked for a lateral to her house so that the road does not have to be ripped up if the well goes bad. Commissioner Taylor informed her that she would not be getting a lateral and that, if she had any further questions with regard to this, she should speak with Mr. Layne.

ROBERT SLOSS – 2097 Needhammer Road – Was assured that the Plumbing Contract would not affect the paving of the roads.

CARL SPECHT – 150 Primose Lane – Commissioner Taylor explained to Mr. Specht that stubs will be put in place and therefore, the paving of the road can take place.

CAROL WINPENNY – 1400 Farmington Avenue – Asked if everyone who had a stub had to connect. Commissioner Taylor told her that they do not.

HENRY BEALER - 1382 Farmington Avenue – Commissioner Taylor assured Mr. Bealer that Superior never signed a contract to do the work along Farmington Avenue. He also explained that this will not cost the residents any money.

ROBERT SLOSS – 2097 Needhammer Road – Asked that, if the Township has to pay more money for this Project, will it be reimbursed by DEP. Commissioner Taylor said that that was correct.

A motion by De Lena, seconded by Dolan, to authorize LTL to re-bid the Wolf Run Plumbing Contract. All aye votes.

NEW PARK SIGNS – Commissioner Dolan described how the new Township signs will look. This went for bid and the low bidder was Tri-County Signs in the amount of \$11,856.00 for all four signs.

JANE HEWITT – 1387 Chestnut Grove Road – Was informed that the signs would be made of urethane.

CATHERINE LEHMAN – 1398 Chestnut Grove Road – Asked if the Township could put in the next newsletter an article explaining where the Township's parks are.

ROBERT SLOSS – 2097 Needhammer Road – Said that Mr. Miller had previously reported that the estimate for the signs was under \$10,000.00. Mr. Dolan explained that Mr. Miller had been only reporting an estimate for three, not four, signs and that the three signs were under \$10,000.00.

CATHERINE LEHMAN – 1398 Chestnut Grove Road – Expressed her concern that, because of the proposed new PAL field and of the new development on Chestnut Grove Road, about the additional traffic that they would have and asked if any traffic-impact study had been done. Commissioner Taylor said that the field and the development did not generate those sort of traffic studies and that the size of the roads in the Township would be able to handle the additional crowd of vehicles at a tolerable level. Commissioner Iatesta said that, a while back, a traffic study had been

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done for parking at the field.

A motion by Dolan, seconded by De Lena, to approve the bid for the signs. All aye votes. The Township will pay 50% for the signs up front and the remaining 50% upon installation.

EXECUTIVE SESSION - At 8:38 P.M. Commissioner Taylor announced the Board would meet in Executive Session to discuss a personnel matter, one deliberation of a judicial body and one potential litigation. The meeting reconvened at 9:05 P.M.

OLD BUSINESS

ACTION ON CELLCO VERIZON CONDITIONAL USE APPLICATION – A motion by Dolan, seconded by De Lena, to approve the application with the following conditions:

1. Applicant shall submit a copy of its current Federal Communications Commission License, the name, address and emergency telephone number of the operator of the support structure and a Certificate of Insurance evidencing general liability insurance in the minimum amount of One Million Dollars (\$1,000,000.00) per occurrence, and property damage coverage in the minimum amount of One Million Dollars (\$1,000,000.00) per occurrence covering the telecommunications support structure and telecommunications antenna in compliance with the requirements of Zoning Ordinance Section 350-33.E.(2)(1) prior to issuance of the Certificate of Occupancy for the Telecommunications Facility by the Township;
2. If the Telecommunications Facility is no longer a licensed and active facility, it shall be removed at the owner's expense within sixty (60) days of the last date the Telecommunications Facility was licensed by the Federal Telecommunications Commission in accordance with the requirements of the Upper Pottsgrove Township Zoning Ordinance;
3. Applicant shall provide a performance bond or escrow to guarantee the removal of the Telecommunications Facility in accordance with the requirements of Zoning Ordinance Section 350- 33.E.(2)(q) prior to issuance of the Certificate of Occupancy for the Telecommunications Facility by the Township;
4. Applicant shall obtain zoning relief as determined by the Upper Pottsgrove Township Zoning Officer as described in Commission Exhibit 5 prior to construction or operation of the Telecommunications Facility;
5. Applicant shall obtain subdivision/land development approval from the Township prior to the construction of any improvements on the Subject Premises;
6. The Applicant shall not be permitted to use a tree type monopole.
7. Applicant shall comply with all other local, state and federal ordinances, rules, laws, and regulations, applicable to the proposed use. Nothing contained in this Order shall be construed to

impact rights of third parties, nor does it guarantee Applicant access for the proposed use through the joint access easement area.

All aye votes.

GARY NOVACK - 1433 North Hanover Street – Asked if there was any review by the FAA as to the impact to the chronicled airport hazard ordinance. Mr. Garner said that the applicant presented evidence that the Board deemed satisfactory to satisfy that condition.

CAROL WINPENNY – 1400 Farmington Avenue – Asked for clarification that this still had to go before the Planning Commission and Zoning and Hearing Board. She was informed that it did. It also needs Land Development approval.

REGINALD LEISTER – 1693 Farmington Avenue – Asked if the FTC in Condition 2 should be the FCC. Mr. Garner said that it might be a misprint.

CAROL WINPENNY – 1400 Farmington Avenue – Wants to add a condition that the applicant be required to keep their area below the Federal Government's radiation exposure level even if somebody else is causing the radiation and if the Federal Government lowers the amount of radiation someone can have they should give up the money so that the Township can monitor them. Anyone should have a right to enter their compound and monitor. Ms. Winpenny is concerned that they will be grandfathered in and not have to comply with future changes. Mr. Garner thanked her for her comment.

REGINALD LEISTER – 1693 Farmington Avenue – Said that, in his position as Electric Class Amateur Radio Operator and his knowledge of FCC regulations, that the FCC very closely and very carefully regulates all users of the spectrum in those areas and through regular and routine engineer spectrum analysis make sure that all users of that spectrum comply at all times through regular analysis and they do report to the FCC, so they have to comply.

Mr. Garner said that he does have copies of Complete Finds and Fact, Conclusions of Law, Discussion and Order that he can hand out to any party in the audience. He also has copies of the Order to hand out.

ACTION ON ORDINANCE NO. 399, REVISING THE R-3 ZONING DISTRICT – A motion by Iatesta, seconded by Noll to approve Ordinance No. 399. All aye votes.

PUBLIC COMMENT

ROBERT SLOSS – 2097 Needhammer Road – Thanked the Board, in particular, Commissioner De Lena, for the Township Newsletter because it is something we really need.

JOHN BEALER – 1521 Farmington Avenue – Said, with regard to the new park signs, that there is a requirement from the county that we also include on the sign that funding was partially provided

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from Montgomery County. Commissioner Dolan informed him that it will an add-on and not actually on the sign.

HENRY BEALER - 1382 Farmington Avenue – Said that the Township has some dead trees that ought to be taken down. Mrs. Winpenny has owns a dead tree that has fallen on the line of his property and he would like her to remove it. Also, she does not mow her grass and it is very high. He thought the Township had and ordinance to prevent this. Commissioner Taylor informed Mr. Bealer that this is a private property issue and that the Township has no jurisdiction. He also asked Mr. Bealer to seek help from Mr. Dillon about this issue and then, perhaps, he could make some recommendations to this Board with regard to any changes we may want to consider.

CAROL WINPENNY – 1400 Farmington Avenue – Said that some of her trees are dead because of some kind of chemical in vegetation spray.

COMMISSIONER COMMENTS

WILLIAM HEWITT – 1387 Chestnut Grove Road – Asked if there could be a central point of communication with regard to the accident on Chestnut Grove Road.

APPROVAL OF BILL LIST – August 21, 2006 - A motion by Noll, seconded by De Lena, to approve the Bill List dated August 21, 2006, as amended, for General Fund in the amount of \$363,276.18; Fire Fund in the amount of \$14,765.83; Sewer Fund in the amount of \$25,518.33; State Fund in the amount of \$208.44 and Park and Recreation Fund in the amount of \$7,817.34 - total \$411,586.12. All aye votes.

ROBERT SLOSS – 2097 Needhammer Road – Questioned if the \$2,400.00 listed under Indian Valley Appraisals was for the land that the Township was trying to acquire through Open Space. Commissioner Taylor said that it was. He also questioned the \$28,000 under LTL Consultants because we now have a code enforcement officer on our payroll. Commissioner Taylor explained that this amount is not entirely something that the Township is paying for. The developers are paying for inspections through the Township. Mr. Sloss said that his concern is that that \$28,000 could be going toward the salary of the code enforcement officer. Commissioner Taylor said that while our code enforcement officer is dealing with property maintenance issues, the Township will still have to pay an outside organization to do the inspections in the new developments. Mr. Sloss questioned how the Township is recouping any of the \$75,000 that we are paying to the code enforcement officer. Commissioner Iatesta said that there is enough work in the Township for both our officer and LTL Consultants, Inc. What is going to happen now is that LTL will be doing only the work that is being paid for by the developers and our officer will be doing mostly the inspections that the Township will not be reimbursed for by the developers and some of the inspections that we will be reimbursed for. Mr. Sloss believes that our officer should get what is coming in from the developers to support his salary and that, if there is anything leftover, you give it to LTL. Commissioner Taylor explained that this has to be balanced out by the projects that we need the officer to do that doesn't get paid back. We had been paying LTL for code enforcement issues. Part of the reason we hired our own officer is so that we would have someone to maintain property issues. So the balance of that is how much of that he can do and how much he can earn by going out and

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inspecting these buildings. We have not been able to utilize the officer to the fullest extent possible because we have not granted the zoning officer aspect of it yet. Mr. Layne has been consulting with LTL and Mr. Dillon to prepare for this transfer of responsibilities. We are still waiting for some software that needs to be acquired. Mr. Sloss then asked if the bill for Lane Enterprises and McMahon Associates is for material for the improvement of Farmington Avenue. He was told yes. He questioned the Reinsel, Kuntz and Leshner bill for review of accounting practices for \$1,680.00. Commissioner Taylor explained that this was for cleaning up the accounts to make them more usable and easier to understand. Mr. Sloss then asked about if the \$237,000.00 for Pottstown and Superior Water was going to be reimbursed by DEP. Commissioner Taylor said that it was. He then questioned the \$269.88 for Mr. Dillon. Mr. Layne informed him that that had to do with training for recertification that took place.

APPROVAL OF MINUTES – June 22, 2006 - A motion by De Lena, seconded by Iatesta, to approve the minutes of the June 22, 2006, meeting as presented. All aye votes.

APPROVAL OF MINUTES – July 17, 2006 - A motion by De Lena, seconded by Noll, to approve the minutes of the July 17, 2006, meeting as presented. All aye votes.

ADJOURNMENT – A motion by De Lena, seconded by Iatesta, to adjourn the meeting at 9:35 P.M.

Respectfully submitted,



Linda L. Coleman
Assistant Township Secretary

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