

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

December 18, 2006

A meeting of the Board of Commissioners was held on Monday, December 18, 2006, at the Upper Pottsgrove Township Administrative Offices, 1409 Farmington Avenue, with Commissioners DeLena, Dolan, Iatesta, Noll and Taylor present. Also present were Solicitor Greg Shantz., Township Manager Jack P. Layne, Jr. and Michelle Reddick for Township Secretary Cynthia Saylor. Mr. Taylor called the meeting to order at 7:00 P.M. There were 9 people present in the audience.

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.

PUBLIC COMMENT:

ROBERT SLOSS - 2097 Needhammer Road – Questioned why there was no bills' list on the agenda. Mr. Layne explained that it would be on the December 27 BOC agenda. Mr. Sloss asked about the status of the flag. Mr. Noll replied that it will remain down for the next two to three weeks to repair the rope system. Mr. Sloss also said that the flag's flood light was out.

HENRY BEALER – 1382 Farmington Avenue – Stated that the flag's flood light comes on for 10 to 15 minutes and then is out for hours. Mr. Noll said that UPT will contact the site manager and remind them to fix light.

ROBERT SLOSS - 2097 Needhammer Road – Had a question about the outside antenna. Mr. Noll replied that Cingular changed their mind and is not willing to move the antenna. Mr. Sloss asked if a federal license was required and Mr. Noll told him yes. Mr. Layne will contact Congressman Dent and the State Senators and ask them to put pressure on American Tower. Mr. Noll explained that a letter has already been sent to American Tower with regard to this. Mr. Taylor explained that the matter is going to be handled within the parameters of the agreement. Mr. Noll explained that, additionally, there is an agreement between Cingular and American Tower for the outside antenna. Mrs. Reddick said that Mr. Quinter advised that representatives from American Tower are looking at alternative methods for the rope and pulley system to prevent interference with the outside antennas.

REG LEISTER - 1693 Farmington Avenue - Expressed a concern with regards to the red traffic light for the left-hand turn going south on Route 100 at State Street not working. It was explained to him that the Township has the contract for the light going north.

DIANA UPDEGROVE - 1404 Farmington Avenue – Asked if white lines could be painted and a sign installed at the light for State Street and Route 100 (near the Township Bldg.) to keep cars from going onto the shoulder of the road. She was informed that Mr. Quinter will be asked for advice on this matter.

GERALD PORTER- 172 Hanover Drive – Said that he had sent a letter to Mr. Layne stating that he was not in favor of people having to hook up to the water line if their wells were in good shape. Mr. Taylor said that residents can opt to keep their wells until the sale of the home. Mr. Layne stated that DEP is pressing the Township for the final tally of residents wanting water to make sure they

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have enough money to fund the project. Mr. Iatesta said the Township gave the option to connect later when you sell your home and you can request a waiver at that time. Mr. Porter asked when the deadline date is to return the letter. Mr. Layne said that another letter is going to all residents in January who have not responded. Mr. Porter then asked when the water is actually coming. Mr. Taylor said that this is a matter of geography, time and money. Mr. Porter stated that the ordinance establishes that the Township has a right to connect the homeowner upon sale of the household.

HENRY BEALER - 1382 Farmington Avenue – Asked why you would have to connect if your water tests as good as the water being installed. Mr. Taylor explained that the ordinance was drafted to meet needs.

ROBERT SLOSS - 2097 Needhammer Road – Asked if DEP has found source of contamination. Mr. Taylor replied no. He then asked what the date was for the last time DEP tested contaminated wells. Mr. Layne said that he would find out.

SPECIAL PRESENTATION:

Mr. Reginald Leister was recognized by the Board of Commissioners with a special award for the community events he had been involved in over the summer and thanked him for his service.

EMERGENCY SERVICES:

POLICE REPORT - Commissioner Noll summarized the monthly Police Report.

FIRE REPORT – Mr. Layne complimented Mr. Hildenbrand for the Fire Company's efforts on the Santa run.

PLANNING AND ZONING REPORT - Commissioner Taylor said that this month's report highlights a new commercial development at State Street and Route 100.

DIANA UPDEGROVE - 1404 Farmington Avenue – Asked if the Township is sending a representative to West Pottsgrove Township's meetings where the new development is being discussed. Mrs. De Lena explained that the Regional Planning Commission has asked the developer to meet with the Commission.

HENRY BEALER - 1382 Farmington Avenue – Suggested that our Township join with other townships to close off the dirt part of Levengood Road.

REG LEISTER - 1693 Farmington Avenue – Questioned if there is a way to derive benefits to Township for increased costs for police, highway and fire. Mr. Layne replied that the Township will be meeting with the developer concerning this issue.

PUBLIC WORKS REPORT - Commissioner Iatesta summarized the Public Works Report for the month of December.

PARK & RECREATION REPORT - Commissioner Dolan reported that Montgomery County awarded the Township with the Golden Pitch Fork Award for its successful open space focus on the Regional Park & Rec Committee referendum.

OPEN SPACE REPORT - Commissioner Dolan stated that he is happy with the successful Open Space Referendum and is being approached by several property owners to purchase their property.

ADMINISTRATIVE REPORT - Commissioner DeLena reported that progress is being made on the web-site and thanked the public for their comments and suggestions for the newsletter.

SOLICITOR'S REPORT - Mr. Shantz reported that Garner and Bauer is working on the follow-up letter to residents of the Wolf Run Project that have not already responded. Commissioner Iatesta questioned the status of the concrete monument at the Middle School. He asked that Mr. Garner follow up on this matter.

EIT ORDINANCE - Mr. Shantz stated that this ordinance has been prepared and advertised for adoption.

TOWNSHIP MANAGER'S REPORT - Mr. Layne reported that recent emphasis has been placed on the 2007 budget. A "No Place for Hate" kick-off meeting was held and thanked Mrs. Reddick for organizing it. This entails three main projects: 1) sensitivity training, which has already been completed, 2) a meeting with the library and 3) a project with the schools' "Freedom Riders". Mr. Taylor thanked Mr. Layne for his tremendous efforts on the budget. Mr. Noll then thanked both Mr. Layne and Mr. Taylor for the efforts on the budget and Mr. Layne for his proactions on the retirement program and for resolving sewer and water concerns on Poplar and Willow Streets. Mr. Layne thanked Mr. Noll for his information on the alarm system.

FINANCIAL REPORT - Mr. Layne summarized the monthly financial report. He also reported that the sign company has replaced the damaged Parks & Rec signs "free of charge". Mr. Taylor conveyed that Steve Weisner of Dallas Data Systems has been working on our financial software program at the Township Office Bldg.

ROBERT SLOSS - 2097 Needhammer Road - Asked if the \$8,500 grant was approved. Mr. Layne said that unofficially it was approved.

REAL ESTATE TRANSFER TAX ORDINANCE AGREEMENT - Allowing the Township to charge interest on unpaid realty transfer tax. A motion by Iatesta, seconded by De Lena, to authorize the Township to charge interest on unpaid realty transfer tax. All aye votes.

COMMISSION/COMMITTEE/BOARD APPOINTMENTS - Mr. Iatesta asked if Mr. Hildenbrand is appointed at-will as his term expiration is not listed. This is a permanent appointment and ends when Mr. Hildenbrand decides to give it up. A motion by De Lena, seconded by Noll, to accept the appointments for 2007 as listed. All aye votes.

ACTION ON RESOLUTION NO. 503, FIXING THE ACT 511 TAX RATES FOR 2007 –

Mr. Dolan asked if the EIT should be changed to 1.25%. EIT is ½ %. A motion by Dolan, seconded by De Lena, to adopt Resolution #503. All aye votes. For purposes of this resolution, the EIT is 1% which is shared with the school district. Whereas, the EIT for open space purposes will be handled under a separate ordinance.

ACTION ON RESOLUTION NO. 504, FIXING THE EMPLOYEE PENSION PLAN – A

motion by Iatesta, seconded by Noll, to adopt Resolution #504. All aye votes.

ROBERT SLOSS - 2097 Needhammer Road – Asked if uniformed and non-uniformed pension is tied into state program which is going broke and expressed concern that the Township does not require employee contributions toward the pension plan. Mr. Sloss was advised that the Township does receive state aid for pension.

REVIEW EXTENSION FOR 409 EVANS ROAD SUBDIVISION – A motion by Noll, seconded

by Dolan, to approve a 90-day extension from December 27, 2006 through March 26, 2007. All aye votes.

EXTENSION REQUEST FOR SUMMER GROVE SUBDIVISION – Mr. Shantz said that

Garner and Bauer saw no reason to deny this request. Mr. Iatesta asked if the agreement states that the Township has to give a 12-month extension. Mr. Shantz replied that it did not. The Extension Request for Summer Grove Subdivision was tabled until further information is received.

ACTION ON RESOLUTION NO. 505, AUTHORIZING A TAX ANTICIPATION NOTE –

This was tabled for the present time.

BOARD OF COMMISSIONERS MEETING SCHEDULE FOR 2007 – After changing the

April 2 BOC Meeting to April 3, the Meeting Schedule for 2007 was approved. Mr. Dolan asked if there was an alternate location for the election so that the Township Admin. Office could remain open. Mr. Iatesta informed the Board that former Commissioner Bill Means had died today and asked the Township to send flowers and to contact him if no address could be found.

ADJOURNMENT - There being no further business, a motion by De Lena, seconded by Noll, to adjourn the meeting at 8:30 P.M. All aye votes.

Respectfully submitted,

Linda L. Coleman,
Assistant Township Secretary