

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

December 27, 2006

A meeting of the Board of Commissioners was held on Wednesday, December 27, 2006, at the Upper Pottsgrove Township Administrative Office, 1409 Farmington Avenue, with Commissioners DeLena, Dolan, Iatesta, Noll and Taylor present. Also present were Township Solicitor Charles D. Garner, Jr., Township Manager Jack P. Layne and Township Secretary Cynthia Saylor. Mr. Taylor called the meeting to order at 7:00 P.M. There were 5 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 - There was no public comment.

OLD BUSINESS:

ADOPTION OF 2007 BUDGET - Mr. Layne noted the proposed budget has been advertised and copies have been provided to anyone requesting one. He further noted the budget is a "work in progress" and it will be monitored on a daily basis. After a brief discussion, a motion by DeLena, seconded by Dolan, to approve the 2007 budget. All aye votes.

APPROVAL OF ORDINANCE AMENDING THE EARNED INCOME TAX - Ordinance #406 - An Ordinance to impose a tax on earned income and net profits received or earned by residents of Upper Pottsgrove Township and by non-residents for work done or service performed therein at a rate of .25% specifically for the purpose of land preservation pursuant to Act 153 of 1996, the Open Space Lands Act. Attorney Garner stated this money will be set aside according by ordinance and state law to be used only for the purpose of acquiring open space property or retiring debt associated with the acquisition of open space property. A motion by Dolan, seconded by DeLena, to approve the proposed ordinance amending the earned income tax for the purpose of purchasing open space. All aye votes.

ROBERT SLOSS - 2097 Needhammer Road - Asked the Solicitor for the definition of open space. Mr. Garner addressed Mr. Sloss and stated he could answer the question as to whether or not the act under which the ordinance was implemented defines open space. Mr. Garner apologized and stated he did not have the definition of open space; however he would obtain the information for him.

APPROVAL OF BOARD OF COMMISSIONERS MEETING SCHEDULE FOR 2007 - A motion by Iatesta, seconded by DeLena, to adopt the 2007 Board of Commissioners meeting schedule. All aye votes. Mr. Layne noted that the meetings scheduled on Tuesdays will begin at 7:30 P.M. instead of 7:00 P.M. He further noted that there would be only one (1) meeting held during the months of July and August.

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FIRE COMPANY BYLAWS - Mr. Taylor provided a brief outline of the minor changes to the Fire Company Bylaws with regards to the Operational Committee and the proper Chain of Command. After discussion, a motion by Noll, seconded by Iatesta, to approve the Bylaws subject to the approval by the Fire Committee. All aye votes.

ROBERT SLOSS - 2097 Needhammer Road - Expressed his concern with regards to a conflict of interest in Article VI and Article XVII of the bylaws.

Commissioners Taylor and Noll expressed their thanks and appreciation to everyone involved with the preparation of the Fire Company Bylaws.

APPROVAL OF RESOLUTION AUTHORIZING TAX ANTICIPATION NOTE FOR 2007 – A motion by Iatesta, seconded by DeLena, to approve the Resolution authorizing a Tax Anticipation Note for 2007. Roll call: DeLena - aye; Dolan - aye; Iatesta - aye; Noll - aye; Taylor - aye.

ROBERT SLOSS - 2097 Needhammer Road - Clarified that the tax anticipation note would be used strictly for General Fund purposes.

APPROVAL OF 2007 REAL PROPERTY TAX MILLAGE RATES - ORDINANCE #405 - An Ordinance of Upper Pottsgrove Township, fixing the Real Property Tax Millage for the year 2007. A motion by Dolan, seconded by Noll, to adopt Ordinance #405. All aye votes.

PUBLIC COMMENT:

ROBERT SLOSS - 2097 Needhammer Road - Stated he would like to recognize Township Manager Jack Layne and said he (Layne) has done an “excellent job” and the Township is headed in the “right direction”. He further stated he enjoys his working relationship with the Township Manager. Mr. Layne thanked Mr. Sloss for his comments.

COMMISSIONERS COMMENTS:

COMMISSIONER NOLL - Reported there was a recent trailer fire on Hanover Drive and expressed his concern with the amount of water used there may be a potential “icy condition” once the temperatures drop. Commissioner Iatesta suggested the Police Department be notified.

APPROVAL OF BILL LIST - December 27, 2006 - Mr. Layne stated the Bill List includes a payment to Smith Barney for both the uniform and non-uniform pension plans. Commissioner Noll questioned invoices paid to PSATC and PSATS. Mr. Layne clarified that the expenditure paid to PSATC was for the 2007 dues and the invoice paid to PSATS is for participation in the CDL drug program. A motion by Noll, seconded by DeLena, to approve the Bill List dated December 27, 2006, for General Fund in the amount of \$121,165.91; Fire Fund in the amount of \$3,208.87; Park and Recreation Fund in the amount of \$26.60; Sewer Fund in the amount of \$1,311.31 and State Fund in the amount of \$842.18. Total Expenditures - \$126,554.87. All aye votes.

ROBERT SLOSS - 2097 Needhammer Road - Questioned the anticipated end of the year cash flow figures. Mr. Layne reported he would those figures at the January meeting.

ADJOURNMENT - There being no further business, a motion by DeLena, seconded by Noll, to adjourn the meeting at 7:40 P.M. All aye votes.

Respectfully submitted,

Cynthia H. Saylor
Township Secretary