

Amity Township Board of Supervisors Meeting Minutes

July 17, 2013

Call to Order/Pledge to the Flag

The July 17, 2013 meeting of the Amity Township Board of Supervisors, held at the Township Municipal Building, 2004 Weavertown Rd., Douglassville, Berks County, Pennsylvania, was called to order at 7:00 PM by Chairperson Kim McGrath. The following were in attendance:

SUPERVISORS

Kim McGrath
Paul Weller
Terry Jones

STAFF

Manager, Charles Lyon
Pamela Kisch, Secretary
Kent Shuebrook, Chief of Police
Brian Boland, Solicitor/Kozloff Stoudt
John Weber, Engineer/LTL Consultants

ANNOUNCEMENTS

None

PUBLIC COMMENT (AGENDA ITEMS ONLY)

None

Mr. Keith Dixon, resident, questioned why the Board felt it necessary to hide the alleged crimes of Corporal Glenn Oesterling. Chief Shuebrook stated the crimes were alleged, and the officer had not been officially charged when the Board last met. Mr. Jones explained that the Board, in an Executive Session, conferred with and followed the advice the Township attorney, Brian Boland, in not releasing that information in the meeting on 7/3/2013. Mr. Boland explained to Mr. Dixon that no laws were broken in not disclosing that information.

MINUTES

Mrs. McGrath was absent from July 3, 2013 meeting, therefore minutes could not be approved.

FINANCE

Mr. Jones moved, seconded by Mr. Weller and duly passed to approve the following disbursements:

1. Disbursements:	\$ 66,155.50	General Fund
	\$ 5,477.43	Fire Fund
	\$ 33,320.78	Sewer Fund
	<u>\$ 83,624.67</u>	<u>Liquid Fuels</u>
	\$188,578.38	Total

The motion passed 3-0.

REPORTS

Fire Companies: Monarch Fire Company reported they will inspect and pick up the new truck this weekend. Amity Fire Company thanked the Township for their donation, and explained funds were used to purchase rescue tools. Monarch and Amity reported radios have been installed at both companies. Mr. Lyon stated there will be advance training for the Limerick Nuclear emergency exercise on 9/16/2013 at 7PM.

Planning Commission: Merritt's Antiques-Annexation requested a 180 day time extension. Motioned by Mr. Jones, seconded by Mr. Weller. Motion passed 3-0. Mr. Jones moved to grant approval to the annexation plan for the Naylor/Haas/Historic Preservation, seconded by Mr. Weller. Motion passed 3-0.

UNFINISHED BUSINESS

Sewer Connection at 163 Hill Rd Mr. Lyon explained the property is for sale again, and that a perspective buyer has asked about connection to the public sewer. An easement will be needed to go through open space given to the Township by Greenbriar. Mr. Weller asked if this has been engineered, to determine distance. Mr. Lyon estimated the distance to be more than 200 feet, and the engineering should be at the perspective buyer's expense. Mr. Jones moved to allow the sewer connection, seconded by Mr. Weller. Motion passed 3-0.

Daniel Boone Homestead Mr. Lyon explained that costs for the Township favored alternative were a quarter of a million dollars higher than the Homestead's proposed alternative. Mr. Lyon stated the Department of General Services Services (DGS) is reviewing both alternatives, but indicated that they have insufficient funds to complete the Township's preferred alternative. Mr. Jones asked if there has been any action taken thus far. Mr. Lyon explained that construction estimates were provided. At this point, the Township will not take any further action until a contract agreement has been established with DGS.

Blazer Midget Football Lighting Mr. Lyon sent communication to Blazer Midget Football, listing the Board's requirements for specifications and requesting additional information on the portable lights. No response has been received thus far. Mr. Lyon received one letter from a property owner urging the Township not approve the lighting, citing current problems as well as future concerns about lighting and noise levels.

SOLICITOR'S REPORT

None

ENGINEER'S REPORT

Mr. Weber reported Vincenzo's has been finishing their punch list items. He also stated it appears as though the Township should soon be able to release their escrow. Mr. Weber mentioned Vincenzo's is also in negotiations with one of their neighbors to get more parking for their patrons. Mr. Weber mentioned the work at Keystone Villa and American Crane are still progressing.

NEW BUSINESS

Awarding of Seasonal Requirements Bids were reviewed for seasonal requirements from 4 bidding companies. Mr. Jones motioned to accept the lowest bids as presented, seconded by Mr. Weller. Motion passed 3-0. Note: The Township will get 3 quotes for temporary cold patch, as there were no bids from any of the 4 bidding companies for this material.

Request to remove 2 dead trees Mr. Howell-Clarke submitted quotes to remove 2 dead trees. One tree at 311 Woodbridge (open space) had visible main trunk decay. The other tree, on Levengood Road, has excessive decay and root flare. Mr. Jones asked if they were big trees. Mr. Howell-Clarke stated they were, and prices were just for cutting them down. Clean up of the trees will be handled by the Township crew. Mr. Weller explained for large trees, the quotes were reasonable and not inflated. Mr. Weller moved to allow removal of the trees, seconded by Mr. Jones, for a total cost of \$2200.00. Motion passed 3-0. Mr. Howell-Clarke thanked the Board for their approval.

EMPLOYEE/OFFICIAL REPORTS

Manager Mr. Lyon was contacted by an engineer from Cherry Weber. Cherry Weber is working on project to replace a bridge on Weavertown Road. The bridge is about 200 yards West of Limekiln Road. One of the requirements for this project is to hold a public meeting to discuss the project. They would like to be the first item on the agenda for our September 4, 2013 meeting. The Board didn't see a problem with this. In relation to the budget, the Manager mentioned the Township's budget is about where it was anticipated to be for this time of year. Due to funding for radios the Township sponsored fire companies, the Fire Fund is experiencing the anticipated short fall. Mr. Lyon recalled that any short fall from the Fire Fund will need to be made up by the Township from operating surplus or fund balance. Mr. Lyon turned to the General Fund and explained there were some dividends, but that Earned Income Tax (EIT) receipts are down, and the amount of the short fall is basically the amount of the takeback. The Manager will have a 2nd quarter analysis for the next meeting. The Manager sent out requests for 2014 budget to department leads, with a target date before Labor Day to produce the 1st draft of the 2014 budget. The upgrade for Pump Stations 1 and 5 have been advertised for an August 19th opening. The Township will consider acting on the project at the August 21, 2013 meeting. The shared cost invoice for capital projects including the diversion box and digesters have been sent. Douglass Township requested an extension until their Board of Supervisors meets. Mr. Lyon agreed to that extension. The Manager reported nothing stood out in the reports of inspections obtained at Goodwest. Douglass Township is proceeding with the installation of a sampling well. Mr. Lyon said the Township received an SMO appeal to Common Pleas Court. The defendant in the case plead guilty and was fined \$5,000 at the Magisterial Justice. That defendant now has appealed to Common Pleas Court. Mr. Lyon asked for the Board's approval to authorize Kozloff Stoudt to represent the Township in this matter. Mr. Jones motioned to approve representation of Kozloff Stoudt, seconded by Mr. Weller. Motion passed 3-0. The Manager would like to attend, or in his absence, send Mr. Howell-Clarke or Mrs. Kisch to Costars training in Limerick. Mrs. McGrath motioned to approve, seconded by Mr. Jones. Motion passed 3-0. Mr. Lyon requested the Board's support of Mr. Galen Brown of Robeson Township to fill the RATS vacancy, in lieu of anyone from Amity vying for the position. Mr. Weller stated he's known Mr. Brown his entire life and had no problem. Mr. Jones said he is also acquainted with Mr. Brown and would offer his support, followed by Mrs. McGrath offering her support, as well. Mr.

Weller asked Mr. Lyon if the E.I.T shortfall was due to less people working and a sign of a still struggling economy. Mr. Lyon agreed, partially, however cited the takeback was really more of a contributor towards the reduced amount. Mr. Lyon mentioned he was contacted to continue dialogue to resolve the wastewater solution for the Leaf Creek Development. Mr. Lyon will be meeting with PADEP on Monday, July 22, 2013. He will put together a presentation to provide PADEP. The Manager mentioned Amity Township will participate in a “Real Exercise” for the Limerick Nuclear Generating Station on November 19, 2013, beginning at 5PM and lasting until approximately 9PM. This exercise will affect the part of the Township within the 10 mile radius.

Chief of Police Chief Shuebrook presented his report, noting an earlier “impromptu” meeting to address criminal mischief in the Greenbriar Development with a female resident turned out to be a meeting at which approximately 30 residents attended. Good ideas were exchanged on how to deter the fires that are occurring between the hours of 2:00AM and 5:00AM. Mr. Weller asked Chief Shuebrook if he felt it could be a neighbor responsible for the incidents, and the Chief said it’s possible, given the timing of fires. Chief Shuebrook was pleased to see the participation of many contributing residents to address these concerns.

SUPERVISORS

Mr. Jones stated he felt Mr. Dixon attended the meeting to illicit a negative response and get more press, stating ulterior motives due to his outstanding legal proceedings against the Township. Mr. Weller stated he’s read all the articles in all of the newspapers. Mr. Weller feels statements regarding what was said in prior Executive Sessions by Mr. Yanos are not true regarding Corporal Oesterling. Mr. Weller explained the Board spoke with our attorney Mr. Boland, Chief Shuebrook, and other Supervisors who had attended those sessions, and confirmed that Mr. Yanos’ statements of what transpired in the Executive Sessions were untrue. Mr. Weller asked the press to make sure what they print is true, in the respect that they are “journalists”.

PUBLIC COMMENT

None

EXECUTIVE SESSION& ADJOURNMENT

Mr. Lyon asked to recess to an Executive Session at 7:45PM to discuss an administrative personnel issue. Chief Shuebrook stated he needed to address a police personnel issue as well.

Chairperson Kim McGrath reconvened the meeting from Executive Session at 8:15PM. Based on the recommendation of Chief Kent Shuebrook, Supervisor Jones moved to hire Michael DiMaria as a Temporary Part-time replacement for Corporal Miles Hoskey while he is on deployment with the Army. Mr. DiMaria will be paid \$28.00 per hour, and it is understood that his employment will terminate upon Corporal Miles Hoskey’s return to duty in Amity Township. The motion was seconded by Paul Weller and the vote was:

Kim McGrath	Aye
Paul Weller	Aye
Terry Jones	Aye

There being no further business, the meeting was adjourned on a motion by Paul Weller, and seconded by Terry Jones. The vote was unanimous:

Kim McGrath	Aye
Paul Weller	Aye
Terry Jones	Aye

Respectfully submitted,

Pamela Kisch