**Amity Township Board of Supervisors**

**Meeting Minutes**

## March 19, 2014

## **Call to Order/Pledge to the Flag**

The March 19, 2014 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, Chair

Richard Gokey, (joined via conference call from 7pm until 7:55pm)

Paul Weller

Terry Jones

David Hackett

### STAFF

Charles Lyon, Manager

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

**MINUTES**

Mr. Jones made a motion to accept the March 5, 2014 minutes as presented, seconded by Mr. Weller. Motion passed, 5-0.

**FINANCE**

Mrs. Kisch stated one additional disbursement was made, in the amount of $1,106.35 for payment of postage for the Spring 2014 Newsletter. Mr. Jones moved, seconded by Mrs. McGrath to approve disbursements as follows:

Disbursements $ 88,310.52 General Fund

$ 85,999.77 Sewer Fund

$ 2,091.74 EDU Fund

$ 7,609.25 Fire Fund

$ 11,540.08 Liquid Fuels

$195,551.36 Total

Motion passed, 5-0. The treasurer’s and tax collector’s reports were provided to the Board for their review.

**REPORTS**

***Fire Companies*** Amity Fire Company and Monarch Fire Company reports were provided for the Supervisor’s review. Monarch Fire Company will begin holding Chicken BBQ dinner sales in April, and Steak and Shrimp nights will be held the first Saturday of the Month, beginning April 5th. Monarch will also be holding a blood drive this month.

Chairperson McGrath swore in Jeremy Shelly and Edward Keefer Jr. as Fire Police for Amity Fire Company. Chief Shuebrook explained fire police are rarely given appreciation and respect for the service they provide to the community. The Chief asked that residents be kind and show appreciation as they approach a scene where traffic is being directed by fire police.

***Planning Commission*** Mr. Thomas Keenan appeared before the Planning Commission at the March 12th meeting for review of the Conditional Use Application for 207 Old Philadelphia Pike, which has been known as the “Leaf Creek House”, fulfilling the requirements under Section 949 of the Zoning Ordinances. Mr. Weller stated the Conditional Use Hearing is scheduled for Thursday, March 20, 2014 at 7:00pm at the Municipal Building. The ACT 209 Committee began the review of the Traffic Impact Study. Manager Lyon stated an intersections study was included in the report.

**UNFINISHED BUSINESS**

***Adoption of the Rural Village Zoning Ordinance*** Mrs. McGrath reported receiving two letters opposing passing of the Ordinance. Mr. Jones stated not all points in the letters were factual. Mr. Jones explained that anyone building in the Rural Village (RV) would still be required to comply with existing limitations of parking spaces and hours of operation; adding that nothing larger than 5,000 square feet can be built in the RV Zone. Mr. Hackett stated the area proposed for the zoning change didn’t really have the amount of traffic necessary to attract the larger chain businesses. Mrs. McGrath addressed concerns from the letters received, as well as those raised by residents at prior meetings. Mrs. McGrath explained the RV Zone was not designed to attract large businesses, but rather to attract “Mom & Pop” shops. The zoning change would simplify the process for home owners to open a small business and eliminate the need to pay additional fees to appear before the Zoning Hearing Board. Mr. Tom Kolenda, 968 Old Airport Road, questioned whether changing the zoning could affect property assessments and taxes. His concern was whether the area that is being re-zoned would undergo tax reassessment. Mr. Boland addressed his concerns, explaining that assessment law is very involved; however, he assured Mr. Kolenda that reassessments must be done at a County level. Mr. Gokey reported that his reception of the conference call was spotty, allowing him to hear Mr. Yanos and Mr. Kolenda very well, but not much else. Mr. Gokey voiced disappointment in the boundaries of the area selected for the Rural Village, explaining it would have been more viable had the boundaries been kept closer to what most residents knew as Amityville. Mr. Gokey stated if the area was kept more concise, the Township could have done something unique with sidewalks and lighting. Mr. Gokey made a motion to send the Rural Village design back to the Planning Commission to revisit the boundaries. For lack of a second, the motion died. After doing side-by-side-by-side comparison of Medium Density Residential (MDR) and Low Density Residential (LDR) to the Rural Village (RV), Mrs. McGrath stated there were actually more similarities than differences. Some uses which are allowed in MDR and LDR may be less favorable to residents than what is allowed in the new RV zone, for instance campgrounds and lodges are not allowable uses under the RV but are allowable in MDR and LDR. Calling for a vote, Mrs. McGrath stated although they try to make decisions based on everyone’s best interest, she realizes decisions never make everyone happy.

Mr. Gokey asked for roll call:

Terry Jones – yes

Paul Weller – yes

Kim McGrath – yes

David Hackett – yes

Richard Gokey – no

Ordinance 283 was approved with the accompanying map, as presented, by a vote of 4-1-0. Mr. Gokey disconnected from the conference call at 7:55PM.

**SOLICITOR’S REPORT**

None

**ENGINEER’S REPORT**

Mr. Weber reported the preliminary and final site plan prepared by Maser Consulting, for Hess, with an original date of January 23, 2014, was reviewed. All review comments were satisfactorily resolved, and the plan was approved today. A letter confirming approval was mailed out earlier today. Keystone Villa Phase IV was completed. Mr. Weber reported receiving a request from Jim Elliott to complete a release of escrow for the Keystone Villa. He will recommend release of that escrow at next month’s meeting. The LUAR was presented to the Act 209 Committee, and is awaiting comments. Mr. Weber and Mr. Howell-Clarke completed evaluation of the ADA ramps in the High Meadows Development. It was determined that all ramps must be replaced to comply with standard ADA requirements. Evaluation of additional sidewalk repair will be completed by Mr. Weber and Mr. Howell-Clarke sometime next week. These repairs may be included with the ADA ramp repairs.

Mr. Howell-Clarke reported he needed 1,000 hour service maintenance done to the front of the wheel loader. He received a quote for this maintenance of $1,864.82 from Medaco, which included rear oil, transmission and motor oil. There are funds in the road budget to cover this maintenance. Mr. Weller moved, seconded by Mr. Jones to approve servicing as requested, at a cost not to exceed $1,864.82. Motion passed, 4-0.

**NEW BUSINESS**

***Grant time extension for PS1 and PS5*** Due to fabrication and delivery time of pumps and the weather, Greg Vietri and Blooming Glen requested approval of a time extension for general construction and electrical work being done at PS1 and PS5. The Manager confirmed the extension was for time only, with no change in cost. Mr. Jones moved, seconded by Mr. Weller to approve the Change Orders requesting time extensions. Motion passed, 4-0.

***Chapter 94 Annual Report*** The Manager reported the Chapter 94 Report was completed and filed. The report revealed no surprises. Hydraulic and Organic Loading Graphs show levels are not approaching overloads. A copy of the report is located in the library. Due to the size of the report, staff provided notice that one copy was made available to Mrs. McGrath for review. Once reviewed, staff will circulate the report to the Supervisors.

EMPLOYEE/OFFICIAL REPORTS

**Manager:** During a routine inspection, the Collection System Employees found a pitted force main at a leak in one of the manholes near PS5. The leak was sealed before the engineer could view the extent of the pitting in the force main pipe. Based on ARRO’s review, they are recommending excavating the manhole and replacing the pipe without the manhole. They also recommended valves between PS1 and PS5 be flushed twice annually. The replacement can be done in house, but a track hoe is required to lift the manhole out. Mr. Howell-Clarke requested approval to rent the equipment. Mr. Jones moved, seconded by Mr. Weller, to authorize rental of the equipment (track hoe) for the length of time necessary to make the repair. Motion passed, 4-0. The Manager received notification from Pennsylvania Health Municipal Insurance Cooperative (PHMIC), indicating a surplus in our fund as of 12/31/13, which will result in a health insurance dividend check. A PHMIC conference will be held next month, after which the Township would be notified of an exact amount of dividend.

The Manager provided an update on WWTP issues: Aerators – Aerator arms were frozen in ice in the lagoon, causing the arms to be bent. Dave Wheeler has suggested he can straighten the arms. With warmer temperatures, staff will be evaluating damages and necessary repairs to the aerators. Douglass Intermunicipal Agreement – Mr. Boland, Mike Sassaman, and the Manager are reviewing the wastewater treatment agreement, ensuring the agreement encompasses everything necessary to address any eventualities prior to submitting it for Douglass Township’s consideration. Corrective Action Plan (CAP) – A complete update has been filed before the 03/31/14 deadline. The Manager requested ARRO put together a Critical Path to complete the project, setting forth specific milestones to guide the work. Mr. Lyon requested a brief executive session, without intent to return, to discuss Right-of-Way acquisition relative to the CAP.

The meeting with Eastern PA Emergency Medical Systems Council regarding ambulance service was cancelled when their representative was detained in Washington. The Manager stated he was unaware of a written agreement between SBREMS and Amity Township, which is the only question they asked of him. A list of the questions that Mr. Lyon sent to Eastern PA Emergency Medical Systems Council was provided to the Board. The Manager and Mr. Howell-Clarke met with Curt Clifford and Dave Buck to discuss 2014’s Community Days. The event will be held September 6th and 7th, 2014 and will follow the same format as last year, with no events on Friday, and conclusion of events on Sunday. Fireworks will be held on Saturday evening. As requested, Mr. Lyon went to a hydrant site with Robert Kline to experience the difficulties in opening the hydrants. It was difficult maneuvering around the hydrant marker and opening the hydrant was very difficult. Mrs. McGrath and Mr. Lyon met with Jim Reynolds from PAAWC at the hydrant. Mr. Reynolds suggested ratchet wrenches, which he may be able to obtain two for the Township via grants. Mr. Reynolds will investigate the cause of the difficulty in opening the hydrants; as he believes it could be pressure. An ongoing issue with PAAWC is how notifications are made when hydrants are put out of service. Mr. Jones suggested PAAWC contact Berks County whenever a hydrant is taken out of service; or they could contact the Township and the Township could forward the information onto the Fire Companies. Mr. Lyon will generate a letter to PAAWC. The Manager requested an executive session, without intent to return, to discuss an administrative non-contract personnel issue, a police grievance, and the earlier mentioned right-of-way acquisition relative to the CAP. The Manager reported receiving notice of a Berks County Board of Assessment Appeal for Two Douglassville Properties. He was able to confirm the hearing is for Phase IV only, and will be touching base with school district officials. The tree quote provided by Groth, the lowest bidder (meeting the specified list of trees) for the TreeVitalize Grant, was $4,730.00. The approved expenditure for acquiring the trees was slightly over the amount approved at the last meeting. Manager Lyon requested approval to acquire the trees at the price quoted by Groth. Mr. Jones moved, seconded by Mrs. McGrath to acquire the trees at the quoted price. Motion passed, 4-0. Robert Yanos, Amity Park Road, stated the BOS previously gave directive to get “real trees”. Mr. Lyon stated the tree selection was based upon the Forrester’s directive. The Steering Committee for the Butch Boyer Memorial Pavilion has set a date for ground-breaking as Sunday, March 30th at 4:00PM. Formal dedication is scheduled for September 6th, at Community Days.

Mrs. McGrath announced the DCNR (Department of Conservation of Natural Resources) sent a notification of mosquito surveillance and West Nile Virus monitoring in Amity Township from 04/01/14 through 10/01/14. Mrs. McGrath announced that Dana Tarapchak recently completed requirements for obtaining the Girl Scout Gold Award, the highest girl honor in Girl Scouting. Mrs. McGrath congratulated Dana and requested staff send a congratulatory certificate be sent to Ms. Tarapchak.

**Chief of Police:** Chief Shuebrook reported a total bid of $1,725.00 for the three police interceptors listed for resale on Municibid, noting there is still a week to go in the bidding. The Chief requested approval to send Officer Shawn O’Rourke to two trainings required to become a training officer. The combined cost for these trainings would be $765.00. The Chief stated there was funding in his budget to cover this training. Mr. Jones moved, seconded by Mr. Weller to approve sending Officer Shawn O’Rourke to both trainings. Motion passed, 4-0. The Chief informed the Board that CODY records management system will require upgrades, including server reconfiguration or replacement. Existing software will no longer be supported after May 2014. Officer Chris High began researching replacement packages. The Chief and staff will continue researching packages and obtain quotes for final recommendation to the Board. Manager Lyon stated this is the same situation the administration side is facing with respect to the accounting software (Caselle); difference being Caselle has not provided a definitive date. The Chief wanted this on the Board’s radar, as this will be in the vicinity of $38,451.00 to replace and was not a budgeted item. Mr. Weller suggested utilizing data from other municipalities that have already made this change. Mrs. McGrath mentioned the quotes appear to have expired, with the exception of one quote.

###### SUPERVISORS

None

**PUBLIC COMMENT**

Mr. Yanos stated the Township pays a lot of money to PAAWC to maintain the fire hydrants, and as hydrants are taken out of service the Township shouldn’t pay for those hydrants. The Manager replied payment must be made according to PUC requirements. Jim Reynolds from PAAWC will be following up with the Manager regarding the issues discussed earlier. The Manager agreed to contact Mr. Reynolds to request records of hydrant maintenance. Mrs. McGrath asked the Manager to look into what caused the damage and what was repaired on the hydrant which was damaged by the Fire Marshal.

**EXECUTIVE SESSION**

With there being no further business, and upon a motion by Mr. Jones, and seconded by Mr. Hackett, the meeting was adjourned to an Executive Session without intent to return for discussion of a potential right-of-way acquisition, a non-contractural administrative personnel issue, and police grievance without. Motion passed, 5-0.

Respectfully submitted,

Pamela Kisch

Secretary