**Amity Township Board of Supervisors**

**Meeting Minutes**

## April 16, 2014

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

The April 16, 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, Vice Chair

Paul Weller

Terry Jones

David Hackett

### STAFF

Charles Lyon, Manager

Pamela Kisch, Township Secretary

Kent Shuebrook, Chief of Police

Brian Boland, Solicitor, Kozloff/Stoudt

John Weber, Engineer, LTL Consultants

**ANNOUNCEMENTS**

Mrs. McGrath announced Vaughn Thren, Boy Scout Troop 521 was elevated to the rank of Eagle Scout on January 20, 2014. His Eagle Court of Honor was held at St. Gabriel’s Church on April 12, 2014. Mr. Thren’s community project involved installation of sixteen independent markers and adding codes to the new markers, as well as existing markers at the Monocacy Hill Recreation Area. These markers were installed for quick rescue of hikers who may need attention on the trail.

**VISITORS** –PA American Water Company (PAWC)

Manager, Brian Hassinger, Manager Field Operations, PE and James Reynolds, Operations Supervisor for Amity and Exeter Townships were present to provide a response to questions posed in a letter from the Manager and address any additional concerns. Mr. Hassinger explained hydrants with high pressure coming into them may be difficult to open. Mr. Reynolds explained each hydrant is flushed and inspected once annually, but not on the same date. Inspections include flushing and repairs if defect are found. PAWC maintains records of inspections and maintenance, which can be obtained by request. Mr. Reynolds reported checking the pressure to hydrant 117 (at Green Meadow Drive) and it had 112 pounds of pressure up to the hydrant. PAWC turned off the street valve to relieve pressure and closed the hydrant, which still leaked. The hydrant was replaced. Mueller, the hydrant vendor, will be examining the hydrant, and Mr. Reynolds agreed to provide the Township with the findings. Mr. Hassinger provided the Board with a documented process that PAWC follows when placing hydrants out of service in a neighboring township. He asked the Board to review the document and provide direction on how they’d like notifications to be handled in Amity. Mr. Hassinger explained all municipalities in Berks County pay 25% of the total cost for fire protection. Mrs. McGrath asked who would pay costs associated with hydrants that need to be replaced. Mr. Hassinger confirmed replacement costs are covered by PAWC. Mr. Boland questioned the validity of the fire hydrant agreements. Although the Township doesn’t provide the water, own the hydrant, control the pressure, or have any control whatsoever, the agreement states the Township indemnifies PAWC. Mr. Hassinger suggested Mr. Boland speak with PAWC’s counsel. Mr. Jones stated the Supervisors would prefer their counsel attend a BOS meeting. Mr. Hassinger stated any calls to report hydrant problems are to be directed to Mr. Reynolds. Mr. Reynolds stated he has provided his office and cell phone numbers to Chief Zomolsky and Chief Gabel, noting that he is available 24/7. Hydrants are numbered by PAWC. Mr. Reynolds stated he can provide this information to the Manager. The Manager thanked PAWC representatives for the grant which was received by Monarch Fire Company, in the amount of $750.00. Mr. Reynolds explained PAWC also supplied each fire company with 1 (one) ratchet wrench to assist fire personnel with opening hydrants.

**PUBLIC COMMENT (AGENDA ITEMS ONLY)**

None

**MINUTES**

Mr. Jones made a motion to accept the April 2, 2014 Board of Supervisors minutes as presented, seconded by Mr. Hackett. Motion passed, 4-0-1. Mr. Gokey abstained.

**FINANCE**

Chief Shuebrook recommended paying the invoices for the MCTs. The Chief received a call from the County, explaining a program needs to be reinstalled on the MCTs, which would restore some of the functionality. Had this been previously communicated, payment of the invoices wouldn’t have been questioned. Mr. Jones moved, seconded by Mr. Weller to approve disbursements as follows:

$106,161.12 General Fund (includes MCT invoice of $482.75)

$ 53,608.73 Sewer Fund

$ 62,871.90 EDU Fund

$ 15,160.83 Recreation

$ 5,352.83 Liquid Fuels

$ 1,872.00 Fire Fund

$245,027.41 Total

Motion passed, 5-0.

**REPORTS**

***Fire Companies*** Chief Gabel reported Monarch will hold a Chicken BBQ on May 10th in the parking lot at Redners. Sales begin at 10:00AM and end once sold out. They will continue their steak and shrimp night and are planning a golf outing. Chief Zomolsky reported Amity will hold their annual carnival April 29th through May 3rd.

***Planning Commission*** Brian Boyer presented Merritt’s Annexation plan and easements to the Board. Mr. Boyer received recommendation for approval by the Planning Commission on April 16, 2014. Mr. Boyer stated the plan calls for a 25 foot easement on the Merritt’s Antique site and 20 foot easement on the Sabo land. Mrs. McGrath asked if the deed needed to be re-written. Mr. Boland replied that Merritt’s and Mr. Sabo need to sign a “declaration of easement”. Mr. Boyer stated the attorneys are ready to proceed if the plan is approved. Mr. Weller moved to approve the plan, subject to receipt of declaration of easements from the respective attorneys. Mr. Hackett seconded and motion passed, 5-0. Mr. Boland stated when the Board is satisfied with the Act 537 Plan, the public must be notified that the Board will consider adoption, in the form of a Resolution. Mr. Boland stated he would work with ARRO to revise the plan. The Manager’s concerns regarding the Act 537 Plan were identified in his report. Mr. Lyon recommended tabling the issue until such a time that all issues with the plan have been resolved and a clean revision is presented by the consultant. The Board concurred. Mr. Boland reported the Act 209 Committee approved the Land Use Assumptions Report (LUAR). Mr. Boland worked with Mr. Weber and they were satisfied with changes that were made. Mr. Weber reported mailing out notices for comment this week to neighboring municipalities, school district, and the Berks County Planning Commission. Mr. Weber recommended keeping the comment period open through May 31, 2014. Once comments have been received, the Public Hearing would need to be advertised twice. Mr. Weber provided two copies of the revised LUAR to the Manager. Jenny Greenwald, Pineapple Lane, LLC has revised her Zoning Hearing Board application, relative to stone paving. The Planning Commission chose to table their recommendation until they receive the revised application. The revised application was supplied to the BOS for their recommendation. Mr. Steve Tabakelis, All County & Associates, answered Supervisors’ questions relating to the requested relief from variances of setback from the street and two variances relative to stone paving. The Manager reported the manhole proposed for connection is Douglass Township’s manhole and will require their approval to connect. The Manager will meet with All County representatives at the site to confirm ownership of the manhole. Mr. Jones moved to authorize sending a letter of recommendation to approve the application to the Zoning Hearing Board attorney. Motion seconded by Mr. Weller and carried, 5-0.

**UNFINISHED BUSINESS**

None

**SOLICITOR’S REPORT**

Mr. Boland had nothing further.

**ENGINEER’S REPORT**

Mr. Weber reported he will meet next week with Mr. Howell-Clarke and the Manager regarding the ADA ramps and failed sidewalks in High Meadows. The Township will need to advertise and obtain bids for this work. Mr. Weber recommended opening bids prior to May 21st or June 4th BOS meetings.

**NEW BUSINESS**

***Grant Permission for Employee Participation at the County Shredding/Pharmaceutical Event***

The Manager stated Kathie Benson has been authorized to participate in previous years by the Board. Board approval is necessary to ensure coverage on the Township’s insurance policy. Mr. Jones moved, seconded by Mr. Gokey, to approve participation in this event per past practice. Motion carried, 5-0.

Mr. Howell-Clarke requested permission to spend $2,096.48 to repair a cylinder on the Township’s loader. Mr. Gokey moved to approve repairing the cylinder at a cost not to exceed $2,096.48, seconded by Mr. Weller. Motion passed, 5-0. Mr. Lyon requested approval to repair four valves in the force main from PS5 to PS2. The engineer recommended replacing the valves with a different type of valve, which would require less maintenance. Cost for replacement is $1,119.00 per valve, for a total cost of $4,476.00. The Road crew will complete the excavation, and the WWTP employees will replace the valves. Mr. Jones moved, seconded by Mr. Weller to authorize replacing the valves at a cost not to exceed $4,476.00, and the motion carried, 5-0.

EMPLOYEE/OFFICIAL REPORTS

**Manager:** The Manager reported hearing from the new project coordinator of the Daniel Boone Homestead Wastewater Project. Paul Flood told us the outstanding bill will be paid the Commonwealth. Pondview has also paid their outstanding bill in full. WWTP updates: PS1 & PS5 – The project is substantially underway, however as-builts were not accurate and Blooming Glen (BG) submitted a change order for $2,055.51, for the removal of concrete that had to be completed by hand. This issue will also delay the project by a few weeks. The Manager is still discussing the change order with Blooming Glen and did not seek BOS approval at this time. 662 Interceptor/Corrective Action Plan (CAP) – Mr. Lyon shared an aggressive timeline and requested a brief Executive Session to discuss easement acquisition. Reed Bed Project – Pioneer Crossing Landfill was unable to take 100 tons of sludge per day per their discussions with Amity Township prior to starting this project. . The 100 ton commitment was based on Pioneer’s assumption that the project would start in March. When it didn’t, Pioneer made other commitments which overlapped into our project. The combined total sludge between our project and the other projects that were finishing up was more that Pioneer’s permit allowed. Consequently, we were limited in how much sludge Pioneer took the first couple days. Without clear definition of who was responsible for communicating and coordinating delivery and disposal, Empire is seeking payment of $4,721.49 for lost hauling time. This is still being negotiated, as the Township was not notified at the first instance of being turned away from the landfill. Having met with Rich Hart to discuss the insurance renewal package, the Manager recommended renewing the Property & Liability insurance policy, totaling $84,998.00. The package premium rose 2.7% over last year’s premium cost. Mr. Hart will attend the May 21st BOS meeting to present what he noted is the largest check he’s ever distributed in this program. Mr. Jones moved, seconded by Mr. Weller to renew the insurance policy as recommended. Motion carried, 5-0. The DCNR Grant Application for the Lake Drive Pavilion Rehabilitation Project requires a Resolution in order to authorize signatures for the pending grant application. Mr. Weller moved, seconded by Mr. Hackett, to adopt Resolution 14-06 naming Chairman of the Supervisors, Township Manager, and Township Secretary as authorized signors. Motion passed, 5-0. Arrangements have been made with a “trustee” of the tennis league to turn the tennis court lights on and off for matches. Basketball lights will not be lit. Mr. Howell-Clarke stated the coin-operated lights will not be functional, due to a mechanical failure. It is not intended to replace the timers. The Code Compliance Officer spoke to the property owner regarding the Jones burning complaint, and it appears the issue has been worked out. Mr. Jones stated there is currently no issue.

**Chief of Police:** Chief Shuebrook requested approval to attend the 2014 Emergency Management Summit on May 1st at the Hyatt at Bellevue, Philadelphia, at no cost. Mr. Gokey moved, seconded by Mr. Weller to approve attendance. Motion passed, 5-0. The Chief requested approval to attend the seminar “Emotional Body Armor for First Responders” at a cost of $100.00. Mr. Weller moved, seconded by Mr. Hackett to approval attendance at a cost not to exceed $100.00, and the motion carried, 5-0. Chief Shuebrook requested replacing Corporal Brown’s computer, which is 10 years old, at a cost of $1500.00. Mr. Jones moved to replace the computer at a cost not to exceed $1500.00, seconded by Mr. Gokey. Motion passed, 5-0.

Manager Lyon requested a brief Executive Session, without intent to return, to discuss a police personnel issue and a wastewater easement acquisition.

###### SUPERVISORS

Mr. Jones asked when street sweeping would be done. Mr. Howell-Clarke stated it would be completed by next Friday, weather permitting.

**PUBLIC COMMENT**

None

For the good of the order, the Manager mentioned receiving a voicemail from James Murray, who was the Township Solicitor when the Monocacy Hill Recreation Area was acquired. Attorney Murray had seen recent articles stating incorrectly that the Township planned to timber Monocacy Hill. Attorney Murray conveyed that he represented Amity Township at the time of acquisition and confirmed the issue of timbering was discussed. It was their conclusion that the Township could sell the trees/lumber from Monocacy Hill to help pay for maintenance. The manager played the message for Supervisor Weller, so it could be corroborated.

**EXECUTIVE SESSION**

At 8:48PM, with there being no further business, and upon a motion by Mr. Jones, and seconded by Mr. Gokey, the meeting was adjourned to an Executive Session, without intent to return to discuss a police personnel issue and easement acquisition. Motion passed, 5-0.

Respectfully submitted,

Pamela Kisch

Secretary