**Amity Township Board of Supervisors**

**Meeting Minutes**

## May 7, 2014

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

The May 7, 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 (arrived at 8:10PM)

**ANNOUNCEMENTS**

None

**PUBLIC COMMENT (AGENDA ITEMS ONLY)**

None

**MINUTES**

Mr. Weller moved, seconded by Mr. Jones to approve the April 16, 2014 minutes, as presented. Motion carried, 5-0.

**FINANCE**

Mr. Gokey moved, seconded by Mr. Weller to approve disbursements as follows:

 $118,672.84 General Fund

 $ 32,727.40 Sewer Fund

 $ 57,778.55 EDU Fund

 $ 2,014.29 Liquid Fuels

 $ 67,549.31 Fire Fund

 $278,742.39 Total

Motion passed, 5-0.

**REPORTS**

***Code Department*** The April 2014 Code Department report was presented to the Board for their review.

***Road Department*** Mr. Howell-Clarke distributed copies of police reports of multiple incidents of vandalism at the Lake Drive Park, occurring most frequently on weekends. He distributed pictures of the most recent incident involving attempts to set fires in the bathrooms and breaking of the door, which has led to closing the park’s bathrooms. The Police have documented finding items that are unacceptable at the park. Mr. Howell-Clarke began researching a video security system, which would allow real-time monitoring. He estimated the cost would not exceed $1,000.00 to have three cameras installed and mounted on existing poles. He proposed positioning one camera toward the skate park, the two remaining cameras would be positioned toward the bathrooms. The Manager explained a phone line would be required to operate the system. Mr. Howell-Clarke is awaiting further information from Service Electric Cablevision (SEC) and Windstream as to estimated costs. The Manager will investigate whether the Township can obtain a line at no charge from SECTV. With all members in agreement, the direction of the Board was for Mr. Howell-Clarke and the Manager to proceed with acquiring the video security system. Mr. Gokey asked about the condition of the salt shed. Mr. Howell-Clarke stated it needed to be replaced; however he did not have firm pricing on a replacement. Mr. Gokey stated he felt this should be pursued now, rather than during bad weather.

**UNFINISHED BUSINESS**

None

**SOLICITOR’S REPORT**

Mr. Boland was held up at a prior engagement. Chairperson McGrath stated they would come back to his report when he arrived.

**NEW BUSINESS**

***ZHB Recommendation - Wendy Reinhardt, 1228 Old Airport Rd*** Mrs. Reinhardt was present at the meeting, seeking variances for encroachment and overall size of the accessory structure. The application stated prior verbal permission was granted from Calvin Sheeler. Mr. Jones stated Mrs. Reinhardt may want to consider having a letter signed by Mr. Sheeler or have him attend the ZHB meeting to confirm his permission. The structure will be situated within eleven feet of Mr. Sheeler’s property line. The building is proposed at forty feet, which is four feet longer than allowed in LDR. Mr. Jones read the hardship noted on the application was to avoid the septic system; which Mrs. Reinhardt confirmed. Mr. Jones moved to authorize sending a letter to the ZHB recommending approval of the variance sought by Mrs. Reinhardt. Mr. Gokey seconded the motion, which passed, 5-0.

***Pitney Bowes Postage Meter Lease*** Mrs. McGrath stated this was a 5-year renewal for the lease for the postage meter. Mrs. Kisch reported the new lease was negotiated through the State COSTAR contract, and is actually $3.42 less monthly than the old lease. The postage meter would be replaced with a newer model. Staff training and maintenance is included in the lease price. Mr. Weller moved, seconded by Mr. Gokey to renew the Pitney Bowes lease at a cost of $79.64 per month. Motion passed, 5-0.

***May 16, 2014 Moonlight Hike – Koinos Community Church*** Mrs. Kisch confirmed the Certificate of Insurance and clearances were received, volunteers from Monocacy Hill Conservation Association (MHCA) have confirmed they will accompany the hike, and the participants have agreed to sign MCHA waivers as requested by Risa Marmontello. Mr. Jones moved, seconded by Mr. Weller to approve the moonlight hike. Motion passed, 5-0.

EMPLOYEE/OFFICIAL REPORTS

**Manager:** The Manager reported he will need a brief Executive Session to discuss two possible property acquisitions and one Police Association matter. During the significant rainfall last week, the eighteen inch primary influent pipe burst. Once the water recedes staff will use a PIG to plug the line, bypass pump and televise the top, sides and bottom of the pipe, to determine the extent of the damage. The PADEP was on site, and in Erik Ammon’s report noted this incident was “an act of God”. Once the full extent of damage is known, staff will need to proceed quickly. The Manager requested approval to proceed if need be, before the next BOS meeting, using services from Pipe Services, Abel Recon or other contractor if the Township could not perform the televising or make the repairs. Mr. Jones stated he considers this an emergency situation. At the direction of the Board, staff should proceed as necessary. When traffic signal lighting was changed from incandescent to LED lights, the Township realized an energy bill savings of almost 50%. The Manager reported pervasive literature indicates that changing to Inductive lights at intersections would utilize 50% of the energy that LED lights use. The Township owns 224 lights, which are currently high pressure sodium lights. Induction lights have a ten year warranty on the lights and ballasts. There may be a program similar to the traffic signal program, which would allow the Township to enter into a lease arrangement to finance the project. Previously when he researched this, he recalled the Board raised concerns about appearance of the lighting and color of the light. The Manager recommended purchasing an 80 Watt at $373.00 and a 100 Watt for $386.75 to evaluate in the municipal building lot. A payback analysis will be provided at the next meeting. Mr. Jones stated he would like to see the light reading for the Inductive and High Pressure Sodium (HPS) lights. Mr. Lyon stated he could have Steve Loomis take these readings. The Manager mentioned that if we continue to receive requests for Moonlight Hikes, a policy should be established about what requirements should be imposed? The Final Plan for the Act 537 Update has been sent to the PADEP for review and approval. The traffic signal at N. Monocacy Creek Rd. and SR 422 was damaged in an accident in December 2013. The insurance company of the responsible party has agreed to pay for repairs and the Manager requested approval to proceed with the repair. Mr. Gokey moved, seconded by Mr. Weller to make the repairs. Motion passed, 5-0. The Manager gave updates on WWTP projects: PS1 & PS5 – The project is proceeding. Vietri has submitted a change order to upgrade electric from 100 amp to 200 amp service at PS1. The engineer who designed the work thought the service was 200 amp; in fact it was only 100 amp. ARRO engineers agreed that costs would be similar even if the 100 amp service was identified, because an upgrade would still be necessary. The project won’t work without the change order. Mr. Gokey moved, seconded by Mr. Jones to approve the change order, at a cost of $3,307.44. Motion passed, 5-0. 662 Capacity Corrective Action Plan – Additional review of the finances and timeline is necessary to determine what budget will be affected by the expenditures. More information will be given at the next meeting. Reed Bed Project – Project has been completed. Significant savings were realized because tonnage was less than 1,000; the project estimate for tonnage was 1,500. Equalization Tank – Final punch list items have all been completed. Final payment requests will be prepared for the next meeting. Additional Pump – Dave Wheeler asked the Manager to ask for approval for a third pump for PS1. Mr. Jones stated if the pump is stored in the position it would be installed, it should remain operative. Mrs. McGrath mentioned the warranty (5 years) would begin at the time of purchase. The Manager explained the lead time for delivery of these pumps has been approximately two months, and Dave Wheeler feels he should have one on the shelf as back-up for bypass pumping during high flows. Mr. Gokey moved, seconded by Mr. Jones to approve the purchase of the ABS pump, at a cost not to exceed $12,892.00. Motion passed, 5-0. The Act 209 Committee is finished with the Land Use Assumption Report (LUAR) and ready to schedule the hearing for adoption. The Manager suggested holding a joint meeting at the June 4, 2014 BOS meeting. All Board members stated they could attend. Contact will be made to John Weber and the Act 209 Committee members to ensure attendance. The Manager provided Engineer Gary Kraft’s bridge evaluations for the Monocacy Hill Road and Lake Drive bridges. Further discussion will be held at the next BOS meeting. Mr. Lyon asked for a motion to approve opening of High Meadows concrete bids by the Manager or his designate. Mrs. McGrath asked when the bids were to be opened. Mrs. Kisch left the meeting to check the date, which she reported as May 19th. Mr. Jones moved, seconded by Mr. Gokey to authorize openings of the bids by the Manager or his designate. Motion passed, 5-0. ARRO found the sewer CAD system that identifies manholes needs to be updated to include High Meadows and other newer developments. The Manager will confer with Mr. Boland whether the portion of the expenditure involving High Meadows, could be paid for using the High Meadows escrow fund. A car went over the curb and down the hill into the tennis courts at Amity Community Park. There were no injuries. Six of the fence posts were damaged. Mr. Howell-Clarke stated parts would be in end of this week or beginning of next week. Mr. Boland will provide an update on the police grievance in the Executive Session. Mr. Howell-Clarke recommended placement of 37 feet of guardrail along Riga Lane, citing safety concerns. Without guardrail, a car could veer down the 25 foot embankment. Mr. Gokey asked if placement of the guardrail was justifiable. Mr. Howell-Clarke replied that it was, because of the change in speed limit and hard turn when vehicles turn from SR 422 onto Riga Lane, especially in bad weather. Mr. Gokey moved, seconded by Mr. Weller to authorize placement of 37 feet of guardrail on Riga Lane using Morgan Rail, at a cost not to exceed $3940.00. Motion passed, 5-0. There has been no response thus far from the Eastern Emergency Council regarding concerns about ambulatory service. Mr. Gokey stated he received a complaint about potholes from a resident on Hilty’s Lane. Mr. Howell-Clarke stated he was aware and will see that it is repaired. The Boone Area Library Board of Trustees minutes of March 18, 2014 were presented to the Board for their review. Mrs. McGrath questioned who owns the remaining street lights, and if the pole needs replaced who replaces the lights. The Manager replied the metal poles are the Township’s lights, the wooden poles are owned by Met Ed or Windstream. The owner that replaces the pole would replace the light as well, if necessary.

**Chief of Police:** Chief Shuebrook received a request for Fire Police to assist Fleetwood at a parade on Saturday, May 31st. The Chief confirmed our participating fire police would be covered under Fleetwood’s insurance policy. The Optimist Club will commence cleanup along SR 422 once or twice a year. The Chief expressed concerns for their safety, particularly around the Douglassville Hotel. Mr. Jones recommended the Optimist Club request assistance from Fire Police, whose equipment would make them most visible to motorists. This week an officer was unable to login to Cody. The Chief realized the Police Department has been “sharing” Cody licenses. The Chief requested approval to acquire (2) additional licenses at a cost of $550.00 each, for a total of $1,100.00. Annual support of $385.00 for each license wouldn’t be billed until licenses are renewed. Mr. Weller moved, seconded by Mr. Hackett to purchase two additional licenses at a cost not to exceed $1,100.00. Motion passed, 5-0. District Attorney Adams has offered to fund $9K for purchase of video and audiotape equipment that could be used for interrogations. Funding would be provided with the agreement to allow other Police Departments to utilize the equipment upon request. Mr. Boland stated the Chief should provide the BOS with an agreement to review. The Board agreed the Chief should pursue the matter. The Chief will provide an update to a personnel item in the Executive Session.

**PUBLIC COMMENT**

Mr. Mark Sheeler, Old Airport Road, suggested the Township install “travel at your own risk” signs on Monocacy Hill. The Manager explained the BOS reviewed the Moonlight Hike application because the park closes at dusk.

**SOLICITOR’S REPORT**

Mr. Boland arrived at 8:10PM. A substantial clog in the sewer system was identified at Amity Square, with the cause being identified as grease being put into the sewer system. Township crew was unable to televise the laterals due to it being 4” in diameter, which is too small for the Township’s equipment. Staff did televise the 8” collector lateral that receives waste from the 4” laterals that enter the buildings. Blockages, sags and grease were found. The owners were issued a Cease and Desist Order that would go into effect if conditions of the order were not met. Those conditions were: Private laterals were to be cleaned and repaired, past due sewer billing was to be brought current, all leaks were to be stopped, installation and or maintenance of grease reducing facilities to comply with Township regulations, Payment of certain fees and execution of the Consent Order & Agreement by the owners of the property and the (2) two restaurants. While the owners agreed to comply with all conditions set forth in the Order and pay all costs of associated with the remediation, it has not taken place yet. The Manager stated he was aware that one of the business owners (tenants) is unwilling to sign or admit they contributed to the sewer backup. When crews were on location, they were only able to find (5) of the (6) four inch laterals. The four inch laterals were so clogged with grease each lateral had only a very small opening. Sewerage backing up came through the ceiling falling on the tenant in the basement. ARRO engineers discussed installation of a specific grease trap with the owners. One restaurant demonstrated they had installed a grease trap and maintained logs of disposal. Mr. Gokey asked about annual health department inspections. It was suggested to review all restaurant discharges in the Township. The Manager called to the Board’s attention that WWTP employees have televised the sewer lines of all restaurants in the Township to identify any grease issue. The WWTP employees inspect grease traps and maintenance records annually of all Township restaurants. Issues identified by doing this are immediately brought to the owner’s attention. Staff also checks logs for proper documentation of grease disposal. The Manager stated Joan London had organized and conducted the meeting with the owners of the property. The owners had agreed to sign, and have tenant signatures on the Consent Order and Agreement prior to the BOS meeting, but this has not occurred. Mr. Boland will follow up and provide an update.

###### SUPERVISORS

Mr. Gokey noted signing a tuition reimbursement for Officer Tom Gauby. The Chief confirmed Officer Gauby obtained his Bachelor’s Degree and attended graduation ceremonies. Mr. Gokey asked the Chief to offer his congratulations to Officer Gauby. Mr. Weller asked if line painting would be done at the municipal building and Amity Community Park. Mr. Howell-Clarke stated his department handles that project in house. Reporter Denise Larive asked if any of the restaurants were closed. The Manager replied they were not. The Township took action with the intent to gain immediate compliance of grease disposal and remediation of the problem; it was never the intent to close down the businesses.

Mr. Boland reviewed the PA American Water (PAWC) Nondisclosure Agreement for the mapping system of hydrants and pressures. He stated he had no objection to execution of the agreement. The agreement is exempt from Open Record Requests, due to the “public security” exemption detailed in the PA Right To Know Act. Mr. Jones moved, seconded by Mr. Weller to execute the agreement. Motion passed, 5-0.

**EXECUTIVE SESSION**

Mrs. McGrath announced that three of the five Supervisors met on April 29th at approximately 4:00PM to discuss possible property acquisition.

At 8:30PM, with there being no further business, and upon a motion by Mr. Gokey, and seconded by Mr. Jones, the meeting was adjourned to an Executive Session, without intent to return to discuss two possible land acquisitions, a Police Association matter, and Police personnel matter. Motion passed, 5-0.

Respectfully submitted,

Pamela Kisch

Secretary