**Amity Township Board of Supervisors**

**Meeting Minutes**

## June 18, 2014

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

The June 18, 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, Chairperson

Richard Gokey, Vice Chair

Paul Weller

Terry Jones

### STAFF

Charles Lyon, Manager

 Pamela Kisch, Township Secretary

Kent Shuebrook, Chief of Police

Brian Boland, Solicitor, Kozloff/Stoudt

John Weber, Engineer, LTL Consultants

**PUBLIC COMMENT (AGENDA ITEMS ONLY)**

None

Chairperson McGrath turned over the meeting to Mr. Boland at 7:02PM.

**PUBLIC MEETING – Adoption of Land Use Assumptions Report (LUAR)**

The Public Hearing was recorded by a stenographer. Mr. Boland stated the meeting was being held in accordance with the Pennsylvania Municipal Planning Code to gather public comment on the Land Use Assumptions Report in support of the development of an updated transportation capital improvements plan. The purpose of the creating the LUAR was to update the demographic statistics provided in the most recent Land Use Assumptions Report dated May 2005 and prepare estimates of both residential and commercial development within Amity Township through 2025. Mr. Boland introduced the exhibits into the record. Mr. Boland took attendance of the Act 209 Committee: Richard Almquist, James Elliott, David Hope, Michael Tornetta, Paul Weller, and Terry Jones. The committee participated in preparation of the LUAR which was being recommended for adoption by the Board of Supervisors. Mr. Boland turned the public hearing over to Mr. Weber. Mr. Weber stated the LUAR was updated to reflect future projections of population growth and new development through 2025 within the Township, divided into 17 (seventeen) sub areas. Copies of the LUAR were sent to the contiguous municipalities and Daniel Boone School District, as required. The County reviewed the LUAR and provided comments, which were addressed in the latest update of the LUAR, dated June 2014. Mr. Weber reviewed slides, that were displayed by projector to the attendees, explaining calculations used in estimation of projected population and residential and commercial development. When Mr. Weber concluded his presentation, Mr. Boland asked for a roll call vote of the Act 209 Committee to confirm their intention to recommend adoption of the LUAR by saying “yes”. Committee members replied: Richard Almquist – YES, James Elliott – YES, David Hope – YES, Michael Tornetta – YES, Paul Weller – YES, Terry Jones – YES, Julie Marburger (arrived at approximately 7:15PM) – YES. Mr. Boland read aloud the Resolution to adopt the LUAR as presented, in accordance with the Pennsylvania Municipalities Planning Code Act of 1968. Mr. Boland asked for public comment. There being none, he called for Supervisors comments. The Supervisors had no comment. Mr. Gokey moved to adopt the LUAR by adoption of Resolution 14-09. The motion was seconded by Mrs. McGrath and duly passed, 4-0. Mr. Boland closed the Public Hearing at 7:27PM.

**MINUTES**

Mrs. McGrath asked for a motion to approve June 4, 2014 minutes. Mr. Jones moved, seconded by Mr. Weller to approve the June 4, 2014 minutes, as presented. Motion carried, 4-0.

**FINANCE**

Mrs. McGrath moved, seconded by Mr. Jones to approve disbursements as follows:

 $ 109,638.14 General Fund

 $ 49,273.04 Sewer Fund

 $ 7,480.24 Liquid Fuels

 $ 7,847.87 Fire Fund

 $ 97,567.44 EDU Fund

 $271,806.73 Total

Reviewing costs for maintenance, Mrs. McGrath questioned the age of police vehicle 26-2. The Chief replied he believed the odometer is at over 120,000 miles. Motion passed, 4-0.

**REPORTS**

***Fire Companies*** Mrs. McGrath noted the Monocacy Fire Company’s tanker didn’t appear to be used at all for the month of April. Chief Gabel confirmed the tanker wasn’t dispatched on any calls. Chief Gabel also reported they will hold a Chicken BBQ in the Redner’s parking lot on Saturday, June 28th at 10:00AM until sold out. Amity Fire Company Chief Mike Zomolsky stated he included the profit and loss detail in his report, for documentation of funds that were used as start up costs for the carnival and flower sale fundraisers.

***Planning Commission*** Jenny Greenwald, Pineapple Lane, LLC, was in attendance.

Mrs. Greenwald showed Supervisors plans for new lighting and material for the parking lot.

Steve Tabekelis, of All County Associates, explained the chosen lights do not have foot candles. Once lights are installed, they would be tested and adjusted to conform to the lighting requirements. Mr. Tabekelis requested a waiver from Section 307 and permission to have an in-house review by the Engineer and staff. Mr. Weller moved, seconded by Mr. Jones, to waive Section 307 and allow the in-house review. Motion passed, 4-0.

**UNFINISHED BUSINESS**

***SMO Compliance – 79 Pine Forge Rd –*** Mrs. Kisch reported that Mr. Loomis would be sending a citation this month. This is the only resident from last year who has still not complied. Mr. Weller stated he’d become aware of a problem with mapping, questioning if the citation was still being sent. Mr. Weller asked staff to reaffirm the status of this property with Mr. Loomis.

***Rental Property Inspections/Permitting –*** Mrs. McGrath stated the Engineer was present, making this a good time to discuss this matter. Mr. Lyon reported the property owner of the 4-unit rental property that was severely delinquent in sewer payments paid half of their balance and has agreed to electronic bank payments to satisfy the account. The resident on Monocacy Creek Road whose sewer account was severely delinquent has agreed to having their service disconnected and forfeiture of their EDU. Mr. Weller said he is not in favor of instituting an Ordinance to require rental property inspections at this time; adding that inspections would be an invasion of privacy.

***Hillview Road / Larry Clouser Right of Way*** The Board discussed whether there would be an advantage to claiming the right of way, without financing the projected improvements. Mr. Weber explained this would necessitate legal documentation of the agreement. The Manager reviewed projected costs to complete the project, based on 2011 calculations. It was estimated to complete both phases of the project in house, cost would be approximately $45K; if the work was completely contracted out, costs would be in excess of $152K. Mr. Gokey asked how natural runoff could be controlled without curbing. Mr. Jones stated runoff from another resident’s property is a civil matter.

**SOLICITOR’S REPORT**

Mr. Boland reported he had met with representatives from SBREMS, who agreed to review an agreement which would ask them to return radios if and when they “stopped servicing” Amity Township. Mr. Boland recommended the Board work on how they’d like the term “servicing” defined within the agreement. The Board agreed.

**ENGINEER’S REPORT**

Mr. Weber requested authorization to execute the contract and issue a notice to proceed for the High Meadows Concrete Project, which was awarded to Reamstown Excavating. Mr. Gokey moved, seconded by Mr. Jones to authorize execution of the contract and sending notice to proceed, as requested. Motion passed, 4-0. Mr. Weber announced a pre-construction meeting would be held on Thursday, June 19th.

Mr. Ben Watton, from Boy Scout Troop 597, attended the meeting as part of his prerequisites for their Communications Merit Badges and Citizenship in the Community Merit Badges. Mr. Drew Bean, also from Boy Scout Troop 597, attended the meeting as part of his prerequisite for his Communications Merit Badge.

**NEW BUSINESS**

None

EMPLOYEE/OFFICIAL REPORTS

**Manager:** Michael Sassaman, of ARRO, attended and gave an update to the continuing issues relating to PS1 and PS5 improvements. Mr. Sassaman reported the specs on the original design were correct, however when they were copied into the proposal, they were copied over incorrectly. Costs incurred by this error will be paid entirely by ARRO. Regarding the proposal for the Leaf Creek Interceptor design and permitting, Mr. Sassaman explained ARRO had limited time to prepare the bid, deciding to bid conservatively, assuming permits would all need to be reapplied for, or renewed. The Chapter 94 Report filed by ARRO did contain a few typos. The largest issue the report identified requires a response to explain the operation of the second pump in several pump stations. The second pumps perform an intended purpose and run when flows are excessive for a short period of time. Mr. Jones agreed most pump stations are designed with two pumps, and he recommended ARRO reply with a request for the PADEP to show further documentation to support their finding. Manager Lyon stated he spoke with Fred Ebert, of Ebert Engineering, and understood that almost 80% of wastewater treatment pump stations in Pennsylvania function this way. Mr. Sassaman reported a change order was submitted by Blooming Glen Contractors for relocating pump disconnect switches, at Dave Wheeler’s request. This was requested to facilitate easier lifting of pumps using the crane truck. Change Order #2 increased the project by $2,285.87 and resulted in an increase of five days to complete the project. Mr. Jones asked if this was necessary, to which the Manager replied it was. Mr. Jones moved, seconded by Mrs. McGrath to approve execution of Change Order #2, not to exceed $2,285.87. Motion passed, 4-0. The Manager handed out ARRO and Ebert Engineering proposals for engineering services to complete the Leaf Creek Interceptor. With realization that the NPDES Permit was not filed and the consideration of changes to street crossings on the Highway Occupancy Permit, Ebert Engineering increased their proposal to $32,410.00. Ebert Engineering indicated they would not have a problem complying with the required timeframe, with exception of concern over additional Bog Turtle Phase 1 surveys. Mr. Almquist stated the survey was updated in April, which determined an absence of turtles. The Manager stated a consultant must be chosen to complete the project tonight in order to meet PADEP’s aggressive schedule to complete the interceptor. Mr. Weller asked if we purchased the engineering. The Manager stated it hasn’t been purchased, but will be required regardless of which consultant is used for this project. Mr. Gokey moved to award to the lowest bidder, Ebert Engineering, at a cost not to exceed $32,410.00, which was seconded by Mr. Weller. Mrs. McGrath left the meeting at 8:15PM. Upon returning at 8:16PM, Mrs. McGrath called for a vote of AYE for those in favor of awarding Ebert Engineering the Leaf Creek Interceptor engineering work:

Mr. Jones – AYE, Mr. Weller – AYE, Mr. Gokey – AYE, Mrs. McGrath – AYE; motion passed, 4-0. Mr. Sassaman stated he agreed the Board made a good decision, and his firm will work with Ebert Engineering throughout the project. The Manager sent a letter to the PADEP requesting an extension of 30 days to provide a response to their comments regarding the Chapter 94 report. If given, this would provide an extension through 08/18/14. The letter requested clarification of the pump stations involved. No response has been received thus far. The renewal application for the NPDES Permit has been submitted to the Delaware River Basin Commission. Staff continues to process delinquent sewer accounts. Previously the Board authorized the purchase of two sample “inductive lights”. After learning the sensors for the inductive lights were more costly than the price approved to purchase the lights themselves, the Manager decided not to proceed with the purchase. Mr. Lyon and Mrs. Kisch met with William McMahon, of ECON Opportunities, Inc. to discuss converting intersection lighting from high pressure sodium to LED lights. Mr. McMahon provides service to change out various types of lighting, and provided information regarding LED lighting. Mr. McMahon assisted the Township in changing out traffic signal lights to LED lights last year. ECON’s initial estimate revealed a savings of more than $20K per year was based on our old electric rate. The Township’s rate per kilowatt was reduced by 20% since that estimate, so they expected savings will be reduced. Assuming rising costs of electric, the Township could realize even greater savings if the rate goes after the current agreement with Direct Energy expires at the end of 2016. The project would cost less than $100K. Although there are sufficient funds in the fund balance, there is a good possibility that the Township could qualify for a Sustainable Energy Fund loan at 0% interest for five years. Mr. McMahon provides consulting services in two phases, which can be purchased separately. The Manager recommended purchasing services for Phase 1 at a cost of $3,500.00, which includes data collection, site visits, database for the scope of work to be completed, calculations of billing costs and rate analysis, LED alternatives, preparation of the report, meetings, and application to the Sustainable Energy Fund. Mr. Jones stated potential savings would be ongoing, and justifies entering into Phase 1 of the agreement with Mr. McMahon. Mr. Jones moved to authorize entering into the agreement and grant permission to necessary party to sign the Sustainable Energy Fund application. The motion was seconded by Mrs. McGrath and passed, 4-0. With the extensive costs of WWTP projects and problems that have cropped up in this year’s Chapter 94 Report, the Manager stated it may be necessary to review financing, which could include consideration of increasing sewer rates within next two years or additional borrowing. Mr. Jones suggested a sump pump surcharge for anyone refusing to allow the Township to inspect for illegal sump pumps. The Manager will research to determine if an existing ordinance would cover that surcharge. The Manager stated he will need an extensive Executive Session, with possibility of the intent to return, to discuss a WWTP personnel issue, a contract extension for the Police Department, staffing concerns about the month of July, the petition for recertification using the Fraternal Order of Police, and possible easement acquisition for WWTP improvements.

**Chief of Police:** Chief Shuebrook presented his report. The Chief requested permission to attend a no-cost training on response to individuals with Alzheimer ’s disease. This is a one day training presented at Dickinson College in Carlisle, PA on August 6th. Mr. Jones moved, seconded by Mrs. McGrath to authorize the Chief’s attendance. Motion passed, 4-0.

**PUBLIC COMMENT**

None

###### SUPERVISORS

None

**EXECUTIVE SESSION**

At 8:40PM, upon a motion by Mr. Gokey, and seconded by Mr. Weller, the meeting was recessed to Executive Session, with intent to return to discuss a WWTP personnel issue, a contract extension for the Police Department, staffing concerns about the month of July, the petition for recertification using the Fraternal Order of Police, and possible easement acquisition for WWTP improvements. Motion passed, 4-0.

At 9:21PM, Mr. Weller moved to reconvene from Executive Session, seconded by Mr. Gokey. Motion passed, 4-0.

Mr. Gokey moved to authorize advertisement of a WWTP personnel vacancy, seconded by

Mr. Jones. Motion passed, 4-0.

Mr. Gokey moved to extend Chief Shuebrook’s employment contract for one year, with an expiration date of February 3, 2016. The motion was seconded by Mr. Jones and passed, 4-0.

At 9:23PM, with there being no further business and Mr. Gokey moved to adjourn. The motion was seconded by Mrs. McGrath, and passed, 4-0.

 Respectfully submitted,

Pamela Kisch

Secretary