

Amity Township Board of Supervisors

Meeting Minutes

March 4, 2015

Call to Order/Pledge to the Flag

The March 4, 2015 meeting of the Amity Township Board of Supervisors, held at the Township Municipal Building, 2004 Weavertown Road, Douglassville, Berks County, Pennsylvania, was called to order at 7:00 PM by Vice Chairman Richard Gokey. The following were in attendance:

SUPERVISORS

Kim McGrath, Chairperson, arrived at 7:01PM (traffic)

Richard L. Gokey, Vice Chair

Terry Jones

David Hackett

STAFF

Charles E. Lyon, Manager

Corporal Jamie Mileschosky

Pamela Kisch, Township Secretary

Brian Boland, Solicitor, Kozloff/Stoudt, arrived at 7:01PM (traffic)

ANNOUNCEMENTS

Mrs. McGrath announced that Mr. Weller was ill and would not be attending the meeting.

PUBLIC COMMENT (AGENDA ITEMS ONLY)

None

MINUTES

Mr. Jones moved, seconded by Mr. Hackett to approve the February 18, 2015 minutes, as presented. Motion passed 4-0.

FINANCE

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

\$ 42,690.29	General Fund
\$ 14,761.73	Sewer Fund
<u>\$ 12,515.38</u>	<u>Liquid Fuels Fund</u>
\$ 69,967.40	Total

Mr. Gokey asked if there was still money in the budget for salt. Mr. Howell-Clarke stated there is money in the budget, however, the County Contract was exhausted, and the County won't extend further quantities. The State Contract has stopped deliveries because the conveyer system on their ship is inoperable, and there is no way for materials to be unloaded from the ship. Motion passed 4-0.

REPORTS

CODE DEPARTMENT- Mr. Gokey moved, seconded by Mr. Hackett to authorize Steve Loomis to attend two training sessions, at a total cost of \$175.00. Mr. Gokey questioned when the next round of SMO violations would be sent. Mr. Loomis stated letters will be mailed around April 1st, and residents would have until December 31, 2015 to comply. Mrs. McGrath asked if parking violations are handled by the Code Department. Mr. Loomis stated the Code Department handles RV parking violations only. Out of 34 (thirty-four) violations for RV parking, only one resident was found not in compliance, choosing to pay the fee for violating the Ordinance. The resident who remained non-compliant uses a drivable RV unit and tows a work trailer behind it. Mr. Gokey stated a vehicle of that size parked on a narrow street could pose safety issues. Mr. Loomis stated the Ordinance does not have clear definitions. Mrs. McGrath asked Mr. Loomis to report back to the Board with recommended verbiage changes for

the Ordinance. Manager Lyon stated he is still evaluating possible escalation of fines for residents who are repeat offenders and do not remove their vehicles from the street.

ROAD DEPARTMENT- Mr. Howell-Clarke reported head gasket repairs are being made to Truck #64. The clutch was replaced on Truck #65. Manager Lyon received an email from Christine Gordon, of Boyertown Pike, complimenting the Public Works Employees for their handling of recent winter storms. Mr. Lyon thanked Road and WWTP crews for maintaining the streets through the winter storms with only a few mailbox complaints even though they appeared to be many casualties.

UNFINISHED BUSINESS - Mike Setley, Concord Public Finance, presented results of bank loan proposals for the General Obligation Note of 2015 for financing of a \$1,250,000.00 line of credit, which the Township could draw down over a two-year period. Mr. Setley reviewed the proposals, answering questions from the Board. Mr. Setley stated there would be no penalties for not drawing the full amount of the line of credit or prepayment. Concord's presentation showed Susquehanna Bank offered the best rate, at 2.4% interest rate for the initial ten years and a subsequent variable rate of 2.230% , with a cap rate of 5%. The Estimated Costs of Issuance were estimated at \$55K; which includes fees for Kozloff/Stoudt, Concord Public Finance, closing, advertising and bank fees, as well as the application to the DCED. Mr. Gokey asked if the Township could use some of the \$875K revenue from the purchase of 291 EDU's to use less of the financed funds. Mr. Boland confirmed those funds could be used for the projects, lessening the amount financed, however, the Costs of Issuance would be \$55K, regardless of the amount financed. Mr. Setley stated he felt closing would be possible around April 15, 2015. Mr. Jones moved, seconded by Mr. Gokey to authorize Concord Public Finance and Kozloff/Stoudt to proceed with the financing and advertise for the adoption of the Ordinance for March 18, 2015. Motion passed 4-0.

SOLICITOR- Mr. Boland reviewed a request to reimburse three EDU's for the Leaf Creek House, 207 Old Philadelphia Pike. The EDU's were purchased after Conditional Use and ZHB variances were granted. The owner of the property, Mr. Joe Greenwald, explained he and his wife spent \$200K renovating the historic home. When it was determined the placement of a detention basin would interfere with their vision they decided to sell the property. The Greenwalds have an agreement of sale, and the new owner plans on using the home as a single-family dwelling. Mr. Greenwald asked who would retain ownership of the purchased EDU's. Mr. Boland explained that is determined by how the agreement of sale is written. If the Greenwalds retain ownership of two of the EDU's they could be put on a list to have the Township buy back two of the EDU's, however there are others waiting on the list. The Manager stated the Township spent a lot of time and money in this process and recommended denying reimbursement to remain consistent, pointing out the right of rejection is listed in Reservation Form, which the applicant signed. Mr. Gokey explained the BOS must treat all requests the same. It has not been past practice to reimburse EDU's, and he did not recommend treating this request differently. The Board agreed. Mr. Greenwald thanked the Board for their consideration. Mark Koch and advisors met with Mr. Weber, Mr. Boland, and the Manager to present a revised draft of proposed changes to the CCRC. After discussion, Mr. Koch will forward a revised draft of the CCRC to the Planning Commission for their meeting next week, blending the three age related development uses. Mr. Boland was unable to schedule a meeting with Richard Almquist and his counsel to discuss land acquisition for the Leaf Creek Interceptor, due to scheduling difficulties. Mr. Almquist was made aware that the solicitor would be preparing a resolution for condemnation, in case an amicable acquisition is not possible. Mr. Gokey moved, seconded by Mr. Jones to authorize Kozloff/Stoudt to prepare a Resolution for Condemnation for March 18th meeting. Motion passed 4-0. Acquisition of the Montague property should be completed by the end of the week. Mr. Boland's office has copies of the easements.

NEW BUSINESS

TR-EM Subdivision On February 5, 2015, John Aston, engineer for TR-EM, requested the BOS waive formal land development of a new plan, taking one-tenth of an acre from the family ground and adding

it to the lot with the mother's home. Berks County Planning Commission sent a letter stating no further action was necessary from Amity Township.

Kirlin ZHB Recommendation The Board reviewed the ZHB application. Supervisors had some concerns about the size of signage and chose not to not make a recommendation to the ZHB.

EMPLOYEE/OFFICIAL REPORTS

Manager: Manager Lyon stated he would send a letter to the Greenwalds regarding the EDU's for the Leaf Creek House. Phil Anstey passed his CDL test on March 4th. Dave Wheeler and the Manager recommended elevating Mr. Anstey to permanent status, with a wage increase to top rate for his position effective March 4, 2015. Mr. Jones moved, seconded by Mr. Gokey to elevate Mr. Anstey to permanent status at top rate, effective March 4, 2015. Motion carried 4-0. An accident occurred at the WWTP during the heavy snow on February 14, 2015, resulting in damage to a vehicle and fence around the primary influent. Cost estimates for repairs totaled \$1,492.00. Consensus of the Board was to fix the vehicle without submitting a claim to the insurance carrier, as there is a \$1,000.00 deductible. Manager Lyon stated he needed a brief Executive Session for discussion involving personnel action. Steve Chieffo purchased the property located at 6 Riga Lane, Birdsboro. Mr. Robert Cone submitted a request to the BOS to allow the original purchase/reservation of the EDU's be transferred to Steve Chieffo. Mr. Jones moved, seconded by Mr. Hackett to approve the transfer of four EDU's for 6 Riga Lane to Steve Chieffo. Motion passed 4-0. Ebert Engineering submitted a recommendation to use Enviroscan for the Seismic Refractory Report for the Leaf Creek Interceptor at a cost of \$6,940.00. This report will provide the information to bidders on the location and type of rock along the interceptor. Mr. Gokey moved, seconded by Mr. Jones to authorize the use of the firm recommended by Ebert Engineering for the Seismic Refractory Report, at a cost of \$6,940.00. Motion passed 4-0. The Manager provided an update on the progress of the Leaf Creek Interceptor. The Manager received a letter of rejection for the PENNDOT HOP permit. The Manager provided options to address the rejection. Mr. Jones stated the Township has invested too much time and money to go backward. The direction of the Board was to proceed with construction of the Leaf Creek Interceptor. The Manager requested a brief Executive Session for discussion of personnel action regarding the Street Department, with no intent to return.

Chief of Police: Corporal Jaime Milesosky presented the Chief's report. Cpl. Milesosky reported on a situation where a repair of the roadway sank approximately four to six inches below surface and was causing safety issues. UGI had a crew on site and repaired the surface. Cpl. Milesosky stated he would make a visual inspection of the site before the end of his shift.

SUPERVISORS

None

PUBLIC COMMENT

Daniel Boone School President, Richard Martino, asked how many homes were proposed to be built in the Leaf Creek Subdivision. The developer purchased 291 EDU's, and Mr. Martino asked if that meant 291 homes would be built. Mr. Boland stated the plan was put through preliminary plan development must still go through a final approval.

EXECUTIVE SESSION

At 8:34PM, with there being no further business, Mr. Jones made a motion, seconded by Mr. Hackett, to adjourn to Executive Session. The purpose of the executive Session was to discuss personnel action. There was no intent to return. Motion passed 4-0. Meeting Adjourned.

Respectfully submitted,

Pamela Kisch
Township Secretary