

Amity Township Board of Supervisors
Meeting Minutes

May 6, 2015

Call to Order/Pledge to the Flag

The May 6, 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 Chairperson Kim McGrath. The following were in attendance:

SUPERVISORS

Kim McGrath, Chairperson
Richard Gokey, Vice Chair
Paul Weller
Terry Jones
David Hackett

STAFF

Charles E. Lyon, Manager
Kent Shuebrook, Chief of Police
Pamela Kisch, Township Secretary
Brian Boland, Solicitor, Kozloff/Stoudt

ANNOUNCEMENTS

Mrs. McGrath announced PA American Water Company began replacing a main on Lake Drive last week. Mrs. McGrath read a letter from Ms. Elora Hubbard, Glenwood Drive, who asked that the Board address trash and recyclables blowing around the Township. Mrs. McGrath directed staff to send a response letter thanking Ms. Hubbard for her concern and explaining that larger recycling bins with lids will be available to residents.

VISITOR - Richard Hart, Richard I. Hart Insurance, presented the Board with a check for \$81,027.81, the largest dividend to date; which represents \$11,259.66 in property and liability dividend, and \$69,767.85 in Workers Compensation dividends. Mr. Hart congratulated the Township and praised the administration for making safety a priority. Mr. Gokey thanked the employees for continuing to be safe.

PUBLIC COMMENT (AGENDA ITEMS ONLY)

None

MINUTES

Mr. Jones moved, seconded by Mr. Weller to approve the April 15, 2015 minutes, as presented. Motion passed, 5-0.

FINANCE

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

\$ 214,527.61	General Fund
\$ 55,395.67	Sewer Fund
\$ 19,381.00	EDU Fund
\$ 1,662.40	Traffic Impact Fees Fund (North & South)
\$ 14,265.00	Recreation Fund
\$ 659.50	Liquid Fuels Fund
<u>\$ 305,891.18</u>	Total

The Manager made note that a debt service payment was made in the form of a wire transfer, in the amount of \$42,795.00. Motion passed 5-0. Property transfer taxes were submitted twice, in error, by

Paragon Abstract for the sale of 117 Slate Run Road. Mr. Jones moved, seconded by Mr. Weller to authorize refunding the overpayment of property taxes, minus the 2% County fee. Motion passed 5-0.

REPORTS

CODE DEPARTMENT- Mr. Loomis presented the code report and his opinion that the Zoning Ordinance is sufficient for enforcement of RV parking issues. When a written complaint is received, the property is inspected and noted of where the RV is parked. Upon notice of violation, the property owner is given 21 days to move the RV to a compliant location. If upon re-inspection the RV is still in violation, a non-traffic citation is issued. Since 2006, when software was implemented, 34 violations were issued, one of which was issued a citation; the resident chose to plead guilty and pay the fine. When residents may call about rules regarding placement of PODs or dumpsters, Mr. Loomis advises them although there is not an Ordinance regarding these items, they must not be in the sight triangles of intersections, they cannot block access to hydrants or damage the streets. It's recommended they have reflectors and remove dumpsters when they are full. Mr. Gokey stated he would like to see some of these issues addressed, such as oversized vehicles or obstructions that don't allow two vehicles to pass on a two-way street. Mr. Boland agreed to assist Steve with researching what other municipalities have in place. Mr. Lyon stated all complaints regarding fires should be directed to Fire Marshal, Jeff Smith. After discussion regarding whether anonymous complaints are investigated, Mr. Loomis stated he acts upon written complaints, as he previously been directed to do.

ROAD DEPARTMENT- Mr. Howell-Clarke reported his seasonal employee reported for work on Monday, May 4, 2015. This seasonal employee will work from May until September. Mr. Jones moved, seconded by Mr. Weller to reaffirm the hiring of David Shay as a seasonal employee effective May 4, 2015. Motion passed 5-0. Street sweeping will be finished by May 15th. Mr. Howell-Clarke presented a quote for mulch for the playground at Amity Community Park, which is needed for safety reasons. Mr. Jones moved, seconded by Mr. Hackett to authorize spending \$4,754.65 for mulch, as per the quote from Third Little Pig. Motion passed 5-0.

UNFINISHED BUSINESS

Removal of Neil Pestco from ZHB - Mr. Boland stated that the Municipal Planning Code (MPC) states members of the ZHB are appointed positions. If an appointed member does not appear, they are to be notified that if they would like to remain on the Board they must submit a written request, in writing. Notice was sent via US Mail and certified mail. Mr. Pestcoe has not requested a hearing. Mr. Jones moved, seconded by Mr. Weller to remove Neil Pestcoe from the ZHB effective immediately. Motion passed 5-0.

Review of PADEP CAPs and Meters - Mike Sassaman, ARRO, distributed a handout to the Board. The CAPs for PS2 and PS4 are on schedule. The design of adding a third pump to increase capacity at each of the PS's is complete and the WQM Part II Permit Application has been submitted to PADEP. Once the permit is approved by PADEP, this work is ready to go out for bids. Bidding is required, under the CAP for these two PS's, to occur in June, award contracts in August, and with construction should begin by October and be completed by January 2016. PS7 was identified by the Chapter 94 Report as being overloaded. Efforts to increase current capacity have failed. Recalculation of PS7 flows for 2013 and 2014 indicate that the PS is not overloaded, although the pumps are only pumping at about 70-75% of their rated capacities. Mr. Sassaman discussed types of pumps and pricing. Mr. Jones moved, seconded by Mr. Gokey to authorize installation of a Flow Meter at PS7, at a cost not to exceed \$5,000.00. Motion passed 5-0. PS7 is rated for 140 GPM, but is only pumping 95 GPM and 105 GPM. Mr. Sassaman stated he believes this to be caused by trapped air, and recommended the Township consider locating the PS7 force main high spots and install air release valves in new manholes, at a cost of approximately \$50,000.00. Since it is not known where the lines run, this will require mapping to be done to locate the high spots. ARRO recommended using a company at a cost of \$1,400.00/day. This company uses laser technology, since it's not really known where the sewer lines run. Mr. Jones questioned if the force main can handle the pressure if capacity is increased. Mr. Gokey asked if this is mandated as part of the CAP.

Mr. Sassaman stated it must be resolved. Mr. Jones moved, seconded by Mr. Gokey to authorize the mapping of the sewer lines, at a cost of \$1,400.00 per day. Motion passed 5-0.

Resolution 15-13 GTRP Grant - Manager Lyon stated the Greenways, Trails, and Recreation Program (GTRP) grant application for the rehabilitation of Lake Drive Park requires a Resolution be adopted, designating an official to execute all documents and agreements between the BOS and Commonwealth Financing Authority. Mr. Gokey moved, seconded by Mr. Hackett to adopt Resolution 15-13. Motion passed 5-0.

SOLICITOR

Mr. Boland stated he had nothing to report.

NEW BUSINESS

Dallas Data Systems Conference - Mr. Jones moved, seconded by Mr. Hackett to authorize the Treasurer to attend a the free conference on June 17, 2015 from 9:00AM until 2:00PM at Brookside Country Club. Motion passed 5-0.

ZHB Recommendation, Barry Shirey - Mr. Shirey is seeking four variances from the Zoning Ordinance Sections 905 (b)(3), Section 905 (b)(5), Section 905 (b)(7), and Section 905 (b)(16) and proposes to use the property as an intensive agriculture; proposing to have a 36,000 turkey farm, in two 50' by 700' buildings at 6359 Boyertown Pike, which is located in the Rural Conservation District. This property was previously used as a single-family dwelling and for agriculture and is slightly more than 45 acres. Mr. Shirey operates a similar farm in Snyder County and offered to provide references, stating he's never had any complaints against his business. There was discussion regarding manure management. Matthew Doll, attorney with Boyd & Karver, said the Manure Management Plan would be addressed with the variances, if granted. Mr. Doll explained that the applicant intends to seek a Conditional Use from the Board of Supervisors, if the ZHB grants the variances. Mr. Jones said he had no comment. Mr. Boland recommended the Board remain neutral because the applicant will likely appear before the Board of Supervisors for the Conditional Use Hearing. Direction of the Board was send a letter to the ZHB, stating that a recommendation was not made, neither for nor against, because the applicant intends to appear before the BOS for the Conditional Use.

Wage Increase, Phillip Anstey - Mr. Anstey obtained his Certified License Operator from the PADEP on April 15, 2015. Mr. Jones moved, seconded by Mr. Weller, to approve the wage increase, per the 429 Teamsters Contract. Motion passed 5-0.

EMPLOYEE/OFFICIAL REPORTS

Manager: Manager Lyon requested an executive session to discuss land acquisition, WWTP personnel matters, and contract negotiation for professional services. Mr. Jones stated they will also be discussing an ongoing litigation. A representative from Daniel Boone School District notified the Manager they will be constructing a patio. The Manager recommended waiving fees during this project. Mr. Jones moved, seconded by Mr. Gokey to waive permit fees associated to the construction of the patio. Motion passed 5-0. Mike Rys will be retiring in mid-May. Police were dispatched to a farm on Worman and Fancy Hill Roads for a brush fire. The owner was burning seven piles of brush and small trees. There was no one tending to the fire and there was no means of control (water) present. The owner was informed they were in violation, and if they violate the ordinance again, they will be cited. The Optimist Club continues to work on relocating the Community Days event to the Douglasville area of Redners. Mr. Weller asked why Community Days couldn't go back to the original location. Mrs. McGrath answered that the Optimists feel the event is too large to go back to Parklane. During routine administration work, staff realized two resolutions from 2013 were numbered 13-17. Mr. Boland stated the Resolution that dedicated Leaf Creek Court was recorded and should not be renumbered. Mr. Jones moved, seconded by Mr. Weller to renumber the resolution for maintenance of the Emergency Operation Plan to 13-17A. Motion passed 5-0. The Corps of Engineers inspected the site for the 662 Leaf Creek Interceptor on April 17, 2015. The Township has not received their assessment at this time.

A check in the amount of \$130,053.00 was received in April, which represents 50% of the claim fund surplus from Benecon for health insurance. The Manager noted he authorized an additional load of infield mix for the Lake Drive field, which was necessary due to the poor condition of the field. The Chief and Manager have reviewed resumes and applications submitted for replacement of the Chief of Police. The Manager stated a committee should be convened, asking the Board to consider who should be a part of that Committee. In order to have a qualified candidate in the position by December 1st, interviews should begin in July. Staff completed a copier analysis to get newer technology and optical character recognition (OCR) search capability. If implemented with the lowest quote, Fraser, the admin copier will go to Police, the Police copier will go to the WWTP, and admin will receive the new copier, at a cost of \$400.69 monthly, which is less than the current contractual obligations. Staff will forward the contract to Mr. Boland for review to ensure necessary language is in place for the Local Government Unit Debt Act and to determine if there are any implied escalation fees for subsequent years. The 2015 Muster Day at Mouns Jones is planned for June 27, 2015. This will require closing down Old Philadelphia Pike west of Britton. Access will not be blocked off to the WWTP. Kiwi will be the staging area for the shuttle. A representative from Exeter Ambulance contacted the Manager to arrange a meeting to discuss service provisions. The Manager will provide detail in a brief memo to the Board.

Chief of Police: Chief Shuebrook requested permission for Officer High to attend the Safariland Certified Instructor training at Pennn State, Berks Campus on May 11, 2015 through May 15, 2015 at a total cost of \$465.00. The Chief requested permission to send Officer Coe to Glock Armor School for firearm repair and maintenance on July for a one-day training, at a total cost of \$265.00. Mr. Gokey moved, seconded by Mr. Weller to grant permission to send both Officers to the training as requested. Motion passed 5-0. The Justice Department approved a 50/50 match to small Police agencies, for purchase of body cameras. Body cameras cost approximately \$1,000.00 each. The Chief asked for permission to research the program and work on establishing a policy regarding these cameras. The Chief was given direction to pursue as requested. The Chief informed the Board that young students from the Charter School are being brought by bus drivers to the Police when there they are unable to leave the student with an adult or the school. Police need to be available for police business and cannot be a back up for childcare. The Chief will speak with the school. The Chief requested an executive session to discuss police personnel matters.

SUPERVISORS

Mr. Weller suggested seeking a new ZHB member. The Board gave direction to pursue seeking replacement. Mr. Lyon handed out quotes and specs for a new digital sign for the municipal building. Mr. Weller asked if we still had the old Daktronics digital sign quote and information. Mr. Jones stated he could get quotes that may be up to \$10K less than the lowest quote presented.

PUBLIC COMMENT

Mr. Richard Martino announced the Daniel Boone School Board will hold a Law Enforcement Recognition ceremony at their regular meeting at Amity Primary Center on Monday, May 11th at 7:30PM; all are invited to attend. Mr. and Mrs. Cooper, Limekiln Road, stated they are in favor of the proposed (Shirey) turkey farm. Amity Fire Company Chief Zomolsky presented the Board with specs for the new truck they anticipate purchasing. Mr. Boland questioned what financing would be done, because it may be necessary to have a TEFRA hearing. Mr. Boland requested that his office receive a copy of the information as soon as possible, regarding that financing so they have sufficient time for review. Mr. Matthew Pyle, Boy Scout Troop #597, was in attendance for his Citizenship Badge and Mr. Alex Hackett, also of Boy Scout Troop #597, was in attendance for his Communications Badge.

EXECUTIVE SESSION

At 9:08PM, with there being no further business, Mr. Jones made a motion, seconded by Mr. Weller to adjourn to Executive Session. The purpose of the executive Session was to discuss matters pertaining to: land acquisition, WWTP personnel, Police personnel matters, contract negotiation for professional

services, and possible litigation. The Board wasn't certain they would need to return. Motion passed 5-0. Meeting Adjourned.

Respectfully submitted,

Pamela Kisch
Township Secretary