

Amity Township Board of Supervisors
Meeting Minutes

June 17, 2015

Call to Order/Pledge to the Flag

The June 17, 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
John Weber, Engineer, LTL Consultants, Inc

ANNOUNCEMENTS

None

PUBLIC COMMENT (AGENDA ITEMS ONLY)

None

MINUTES

Mr. Gokey moved, seconded by Mr. Weller to approve the June 3, 2015 minutes, as presented. Motion passed, 5-0.

FINANCE

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

\$ 75,649.62	General Fund
\$ 64,576.00	Fire Fund
\$ 59,378.34	Sewer Fund
\$ 10,741.73	EDU Fund
\$ 17,761.48	Liquid Fuels Fund
\$ 228,107.17	Total

Mr. Jones questioned an invoice for Ray's Tire. Mr. Howell-Clarke stated the invoice was for a new tire. Mr. Gokey questioned the Boone Area Library donation of \$7,500.00. Manager Lyon stated this was half of the budgeted annual donation. Motion passed, 5-0.

REPORTS

FIRE COMPANIES- Monarch Fire Company will have a Chicken BBQ on Saturday, July 18th in the Redner's parking lot. Chief Zomolsky reported that Amity Fire Company has signed paperwork for the purchase of their new fire truck. The TEFRA hearing will be held Monday at Amity Fire Company. Mr. Boland will be preparing the 147 Letter for the financing company, Volunteer Financial Services, as required by the Internal Revenue Code; which will be presented to the Board at the July 1st meeting. Mrs. McGrath asked if the fire companies had been contacted regarding the ISO rating. Chief Zomolsky

stated Amity Fire Company went through the process approximately six months ago. Assistant Chief Kline stated he believed Chief Gabel was notified.

PLANNING COMMISSION- Kirlin's Mower Shop The property at 824 Monocacy Creek Road is currently a single family residence with accessory buildings. The owners were granted conditional approval by the ZHB on March 16, 2015. Mr. Weber reviewed the Planning Commission recommendations for approvals. Mr. and Mrs. Kirlin were present and answered Supervisors' questions. Mr. Gokey moved, seconded by Mr. Hackett, to grant the following approvals: waiver from Section 304, allowing the plan reviewed as a Preliminary/Final; waiver from Section 510 (i)(2) and allow parking spaces to encroach the setback required, as shown on the plan; the Township will not require Securities & Improvements Agreements with stipulation that the U&O not be issued until stormwater and landscaping is completed; and approve the plan as presented and all items listed in LTL's letter dated June 5, 2015 are completed. Motion passed 5-0. Mr. Kirlin thanked the Board for the time and consideration. Mr. Weber stated the CCRC Ordinance will be presented for adoption at the July 1, 2015 Board of Supervisors meeting at 7:00PM. Mr. Gokey asked if the BCPC provided feedback. Mr. Boland stated the County indicated while they didn't object to the changes, they recommended annexing the property into the RC or LDR zone; which Mr. Boland stated would be a considerable time investment and the Board may wish to consider at sometime in the future.

ROAD DEPARTMENT- Mr. Howell-Clarke gave the Board an update on the work that his crew will be doing for the 662 Leaf Creek Interceptor. Work will begin on Friday, June 19th. Mr. Gokey noted that an abandoned building on the (Schmale) farm appears as though it may need to be taken down. After some discussion, Mrs. McGrath asked staff to contact Mr. Almquist to see if he would be interested in demolishing that building before construction begins. Manager Lyon stated the US Fish & Wildlife Services (USFWS) overruled the Corps of Engineers decision, and the best option may be to redesign the line. The Manager will reevaluate the options and report back to the Board. Milling on Russell Avenue and Laurelwood Road began this week. Locations for base repair have been marked.

UNFINISHED BUSINESS

Resolution 15-15 Mr. Jones moved, seconded by Mr. Weller to ratify the adoption of Resolution 15-15, authorizing appropriate parties to execute the Agreement of Sale and all documents required at closing to complete the purchase of 888 Old Airport Road, which was signed June 3, 2015. Motion passed 5-0.

Ambulance Services EMS call volume for 2013, 2014, and 2015 was provided to Exeter Ambulance Association (EAA), as requested at the June 3, 2015 BOS meeting. Mr. Jonathan Herbsleb, EAA, stated the volume was something his organization would be able to handle. Mrs. McGrath stated the Board hadn't reviewed options since the last meeting. After discussion regarding run cards, the Manager recommended putting out Requests for Proposals (RFP's) for ambulance services. Anyone who would be willing to be located in Amity Township and offer ALS services could submit a proposal. The Board gave direction for the Manager to work with the Solicitor to create an RFP and tabled this issue.

SOLICITOR

Resolution 15-16 Mr. Boland researched and determined adopting a resolution stating that the Township is purchasing the property at 888 Old Airport Road "in lieu of condemnation" that the Township would not be responsible to pay property transfer taxes. Mr. Jones moved, seconded by Mr. Weller to adopt Resolution 15-16, purchasing 888 Old Airport Road in lieu of condemnation. Mrs. McGrath explained the property was not being condemned, it was indeed purchased. Motion passed 5-0.

ENGINEER

On-Street Parking At the May 20, 2015 meeting, Mr. Weber presented the Board with a draft of recommended changes to address on-street parking issues. The Board agreed to further review Mr. Weber's draft and provide feedback regarding specific sizes, hours for loading, fees for violations, etc. After discussion, Mr. Weber will incorporate the Board's recommended changes and provide a revision of the draft.

Escrow Release #5 - Woods Edge Phase 3C Forino requested a release in the amount of \$198,244.97. Based upon on-site inspections, Mr. Weber recommended release of \$192,121.37, because concrete pavers had not been installed. Mr. Jones moved, seconded by Mr. Weller to authorize the Escrow Release #5 in the amount of \$192,121.37. Mr. Boland confirmed that it is appropriate to release the funds for work completed by Forino and approved by PA American Water (PAWC) despite there not being an agreement on the hydrant indemnification demanded by PAWC. Manager Lyon cited concerns that if the hydrant agreements are not signed, PAWC won't allow activation of the hydrants to provide public water. Mr. Boland stated it is required that escrow funds be released, under the Municipal Improvements Agreement, when PAWC signs off on the construction of all the water main facilities. There is an issue with the indemnification language in the PAWC hydrant agreements. The lengthy document drafted was to be presented to PAWC's legal counsel. Mr. Boland indicated Mr. Hassinger seemed more cooperative during their last discussion. The manager was concerned that not executing the hydrant agreement could leave properties affected under the agreement without a source of water, creating a dilemma in issuing a certificate of occupancy. The solicitor stated it would not be an issue. Motion passed 5-0.

NEW BUSINESS

None

EMPLOYEE/OFFICIAL REPORTS

Manager: Within the past month, Goodwest Industries reported high strength waste discharged into the wastewater system in Douglass Township. Douglass has not enforced this matter with Goodwest. In researching the issue, the Manager found a letter from Chuck Volk, then of LTL Consultants, that established strength limitations and required an agreement be established between Goodwest Industries and Amity Township. That agreement was never effected; and there are other provisions that Douglass has not enforced. Mr. Jones moved and Mr. Gokey seconded to direct the Manager to send two notices: a notice of termination to Douglass Township and a notice to Goodwest Industries regarding strength limitations and the absence of an agreement. Motion passed 5-0. A non-profit, not affiliated to the Daniel Boone School District, has requested use of Township facilities for the purpose of fundraising. Additional people at the parks means more clean up, staff overtime, and possibly repair of damages to facilities. Staff is evaluating pavilion rental fees and recommended establishing a policy for handling fundraising patrons who wish to utilize Township facilities. The Board agreed and gave direction for staff to work on establishing this policy. The Manager attended the auction of 127 Old Swede Road, but was outbid by \$1,000.00. Update to WWTP: PS7 CAP - PADEP rejections continue to plague the progress for PS7 work. The Manager will be preparing a response letter and asked for an executive session to discuss legal avenues available to deal with what seems to be unfair conditions set by agencies. PS2 & PS4 - nothing further. 662 Leaf Creek Interceptor: PENNDOT rejected the application to allow them more time for review. The application was submitted two days earlier, and another 30-day review process has begun. US Fish & Wildlife Services (USFWS) overruled the Corps of Engineers decision and required a Phase 2 study to be done or a horizontal bore. The timeline for a phase 2 study has already lapsed until next April 15, 2016. The Manager will be reevaluating options and will report back to the Board. Mr. Almquist has signed the Temporary Access Agreement. The Police Chief search produced seventy-six applications, and many qualified applicants. Interviews are scheduled for next week. Dates and times will be shared in executive session, for any Supervisor who wishes to participate in the interviews. Plans for Community Days has the event being conducted on private property. In the past, when the event was held on Township property, a lot of work was done by Township staff. This year, staff will help with processes when possible at Township properties or in Right-of-Ways, but will not enter private property. The Planning Commission authorized the engineer to construct an ordinance amendment for proposed changes for temporary real estate signs.

Chief of Police: Chief Shuebrook obtained three quotes for CPR/First Aid MOETC mandatory training; requesting authorization to accept the lowest bid from Certified CPR/First Aid trainer and Douglass

Township/Berks Police Officer Bryan Sockel at a rate of \$40.00/per officer. CPR cards would be provided as part of the training, and the Chief stated he plans on attending the training. Mr. Jones moved, seconded by Mr. Weller to authorize CPR training at a cost of \$40.00/per officer. Motion passed 5-0. Mr. Gokey questioned a disbursement made payable to IPMBA for membership dues. Chief Shuebrook explained this is for the International Police Mountain Bike Association (IPMBA), and has been paid for the past few years for officers. The Board agreed to permit Chief Shuebrook to research slick top mounted rear-deck lighting for the newest police vehicle.

SUPERVISORS

None

PUBLIC COMMENT

Ryan Ferrante, Troop #555 was in attendance, working on his Citizenship in the Community Badge.
Everett Frey, Troop #597 was in attendance, working on his Communications Badge.

EXECUTIVE SESSION

At 8:30PM, with there being no further business, Mr. Jones made a motion, seconded by Mr. Gokey to adjourn to Executive Session, with intent to return. The purpose of the executive Session was to discuss possible legal action regarding State agency responses, as they relate to the CAP for PS7. Motion passed 5-0.

Respectfully Submitted,

Pamela Kisch
Township Secretary