

Amity Township Board of Supervisors
Meeting Minutes

July 15, 2015

Call to Order/Pledge to the Flag

The July 15, 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
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 July 1, 2015 minutes, as presented. Motion passed 4-0.

FINANCE

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

\$ 99,737.29	General Fund
\$ 64,142.00	Fire Fund
\$ 32,343.54	Sewer Fund
<u>\$ 6,630.37</u>	<u>Liquid Fuels Fund</u>
\$ 202,853.20	Total

Motion passed 4-0.

The Treasurer's Report was presented for the Board's review. Mr. Gokey questioned Traffic Impact Fees that were collected. The Manager stated he would verify with the Treasurer if these fees were associated to building permits issued for Highmeadows and Woods Edge.

REPORTS

FIRE COMPANIES- Assistant Chief Robert Kline reported that Monarch will hold it's next Chicken BBQ on Saturday, July 25th in the parking lot at Redner's Market. The housing and parade for Monarch's new fire truck will be held on Saturday, August 22, 2015. All are welcome to attend.

PLANNING COMMISSION- ZHB Recommendation, Justin Kisch - Mr. Kisch, 1754 Weavertown Road stated he would be demolishing three existing accessory structures and replacing them with one 32 (thirty-two) foot by 60 (sixty) foot pole barn in the rear yard. Due to the size and shape of the lot, and location of his pool, Mr. Kisch stated he would like to erect the pole barn one foot off of the neighbor's

property line.. Mr. Kisch presented a letter signed by Scott Scheffy, 1760 Weavertown Road, which stated he supported approval of Mr. Kisch's application. Mr. Kisch was seeking variances from Sections 402(e), 902(b)(2), and 902(b) of the Zoning Ordinance. Mr. Gokey said a one foot setback would make maintenance difficult, further stating he'd have concerns that Mr. Kisch's stormwater would then be forced onto the neighboring property. Although the current owner of that property gave permission, a future owner may not be so amicable. After discussion, Mrs. McGrath stated the BOS would not make a recommendation neither for nor against, advising Mr. Kisch to be prepared to discuss the setback distance and explain what hardships would be created if he were not granted variances.

Leaf Creek Sewer Plan Module - Manager Lyon stated this agenda item was for informational purposes only. Brian Boyer presented the planning module for this project. The size of the development required advertisement of the pending development in the newspaper, allowing a 30-day comment period, which will not expire until after July 15, 2015. At the 7/8/2015 meeting, the Planning Commission made a recommendation that the Board of Supervisors grant approval, conditioned upon the changes being made, as recommended in ARRO's review letter dated 6/29/2015. Mr. Boland stated the approval should not be given prior to expiration of the 30-day comment period. Mr. Boyer asked to have approval of the Leaf Creek Sewer Module be added to the August 5, 2015 agenda.

UNFINISHED BUSINESS

Township Sign - This item was tabled until all Supervisors are in attendance for quote comparison.

American Crane/Whitman Annexation - Mr. Brian Boyer stated the annexation was to transfer 10 (ten) acres of land from American Crane to Whitman. This item was on the 5/20/2015 BOS agenda, however he was not able to obtain Mr. Whitman's signature until earlier this week. Monuments have been set. The Planning Commission recommended approval of the plan, conditioned upon completion of all items listed in the LTL letter dated April 29, 2015 at the meeting on May 9, 2015. Mr. Weber stated he wasn't aware this was on the agenda, and didn't have his file, but believed all items were addressed, but thought a later letter was sent to the Township, and clean plans were to be submitted by Boyer Engineering to the Township. The Manager left the room at 7:35PM to check his file. The Board moved onto the next agenda item. **Line Painting** - Mr. Howell-Clarke obtained a quote from A-1 Traffic Control Products, LLC, a COSTARS vendor for all roads in the Township need to be marked. Mr. Gokey asked if the "bite line" on the side of the highways would be done. Mr. Howell-Clarke stated they would be done. Mr. Gokey moved, seconded by Mr. Hackett to approve spending \$12,010.55 with A-1 Traffic Control for line painting of approximately 150,000 linear feet. Motion passed 4-0. **American Crane/Whitman Annexation(continued)** - Mr. Lyon returned at 7:39:PM, stating his file did not contain a subsequent letter, however the Planning Commission recommended conditional approval at their 5/13/2015 meeting. Mr. Weller moved, seconded by Mr. Hackett to approve the American Crane/Whitman Annexation plan, conditioned upon the Engineer confirming completion of all requirements of the LTL letter dated 4/29/2015. Motion passed 4-0.

SOLICITOR

The Manager and Mr. Boland met regarding proposed changes to the sign ordinance for temporary real estate signs. Mr. Boland will be forwarding a draft of the proposed changes to the Planning Commission for their review and anticipates providing that draft to the BOS in August. Mr. Boland spoke to the new General Counsel for PAWC regarding the Hydrant Agreements and forwarded new language for their consideration. The Solicitor anticipates receiving the draft back with comments within a week. Mr. Boland reviewed the Manager's draft termination letter for Douglass Township. Mr. Boland stated he'd like a meeting with ARRO and the Manager to review conditions of sewage and Goodwest meeting BOD requirements and make further recommendations. Regarding the draft of the RFP for EMS services, the Manager has questions about insurance and liability limits. Mr. Boland didn't have an opportunity to review the questions prior to the meeting. The Manager stated the Board gave direction to move forward. Absent a contract with SBREMS, the BOS has the opportunity to change the run cards,

should they choose to do so. Mr. Boland agreed to have the RFP ready for the BOS for the August 5th meeting. Mr. Boland requested an Executive Session to discuss Police Personnel matters and pending notice of Unfair Labor Practice.

ENGINEER

Escrow Release #6, Woods Edge Phase 3C - Mr. Weber received a request from Forino Company for release #6 for Woods Edge Phase 3C. Based upon on-site inspection by LTL and PAWC, Mr. Weber recommended release of \$217,724.51. Mr. Gokey moved, seconded by Mr. Hackett to authorize release #6 for Woods Edge Phase 3C in the amount of \$217,724.51, as per LTL's letter dated July 1, 2015. Motion passed 4-0. Mr. Weber reported the developer is encountering excessive rock in the High Meadows Phase 3 Section 1. Mr. Weber stated he will be providing a draft of proposed changes for the on-street parking at the August 19th meeting. Any additional recommendations should be forwarded to Mr. Weber.

NEW BUSINESS

Permission to Advertise Home Heating Oil The Manager stated the Township has received better pricing than the Berks County Coop when it's bid on its own, because companies know the quantity needed and can figure mileage into the contract. Also there is no cost inclusions for non-cost efficient deliveries that are sometimes included in the cooperative bids. If the bid prices are higher than that of the Coop, the Township can reject the bids. Mr. Weller moved, seconded by Mr. Gokey to authorize advertisement for Home Heating Oil. Motion passed 4-0.

EMPLOYEE/OFFICIAL REPORTS

Manager: The scheduled MS4 Audit was completed last week. Two unscheduled PADEP inspections took place last week as well; the Recycling Audit and WWTP Inspection departments. The WWTP inspector "strongly" recommended draining and repairing the lagoon liner. Additional notations stated they "strongly" recommended registering to use the PADEP's eDMR system and adjustments to the influent composite sampling procedures. Manager Lyon gave an update on WWTP matters: PS7 - The second pump impeller was trimmed, and maximum flow is 125GPM. PADEP expects the flow to meet the permit capacity. The argument is that there has been no surcharges to substantiate the PADEP's requirements. The second Flygt pump was pulled and is back at the vendor for test. The Manager will have a recommendation at the August 5th meeting. PS2 & PS4 - Remains under PADEP review. 662 Leaf Creek Interceptor - The easement was cleared and seismic refraction field survey was completed. The PENNDOT permit has not been received. Congressman Meehan contacted US Fish and Wildlife earlier this week. Lagoon - ARRO's letter dated 6/22/2015 commended draining, cleaning, and inspecting the lagoon for damages. The PADEP's inspector made the same strong recommendation. . Digester roof - This repair should be done before winter. The Manager has one quote. Mr. Gokey recommended the Manager check with Zimmerman Roofing of Lancaster. The Winter Services Agreement has expired. The contract doesn't appear to have changed. Mrs. McGrath moved, seconded by Mr. Weller to grant approval to execute the Winter Services Agreement, conditioned upon the Solicitor's review and approval. Motion passed 4-0. The Manager authorized the Solicitor to enter his appearance on the Township's behalf. Mrs. McGrath moved, seconded by Mr. Hackett to affirm the appointment of the Solitor. Motion passed 4-0. The Manager is awaiting for confirmation from Exeter Township whether Old Tulpehocken Road was posted with "no trucks" signs. Exeter has posted Meeting House Road. One of our Police issued a citation to a truck recently. The Manager questioned the legality of our officers enforcing another municipality's signs/laws. Mr. Boland recommended erecting "no trucks" signs. Mr. Gokey moved, seconded by Mr. Hackett to authorize erecting the signs and amending the Traffic Ordinance. Motion passed 4-0. PENNDOT is replacing the existing 30" by 30" stop sign at SR662 and Blacksmith Road with a 36" by 36" stop sign, as part of their Systemic Improvements. Once installed, the Township is responsible to maintain the sign. The Monocacy Schuylkill River Bridge will

be closed starting Monday, July 20th for approximately three months. The Township received a complaint regarding stormwater drainage coming from Nicholson Avenue into Sunrise Hills. This was previously submitted in 2013, prior to implementation of MS4. In 2013, Kozloff/Stoudt determined the matter to be a civil matter between the Home Owners Association (HOA) and the complainant. The prior complainant's relative forged a new complaint this week, which must be dealt with in light of MS4 and the Township's PAG-13 permit. The complaint has been logged. Mr. Weber, Mr. Boland, and the Manager met regarding the erosion of the ravine. The Plan notes indicate "stormwater is to be maintained by the HOA. Water has eroded and is affecting the banks behind the houses, causing trees to lean. Mr. Weber stated the residents have met with the HOA, and they did not volunteer to address the situation. The Township may be obligated to compel the HOA to resolve the issues, and if they do not, the Township would be forced to effect repairs and seek reimbursement from the HOA. The solicitor was directed to initiate communications with the HOA in order to get them to comply with the recorded plan document. The Manager stated the Board should determine a use for the property at 888 Old Airport Road, and possibly consider property maintenance companies. The property has been placed on the list for mowing with the Township's contractor. Mr. Gokey noted the weeds and flower beds need of maintenance. Mr. Howell-Clarke stated the Road Crew would address them. Lt. Milesosky submitted a COSTARS quote to replace a vehicle in the Police fleet. Chief Shuebrook reported there may be a way to use parts, voiding the need for the quote. The Chief will look into this more and report back. Financials at the six-month mark seem to be almost identical to that of last year. There is a \$293K surplus, increasing the fund balance to \$2,670,000.00. Expenditures are up over the last year, however insurance dividends contributed to revenues being increased as well. The Manager will present a more in-depth analysis at the August 5th meeting. The Manager sent communication to PAWC and UGI addressing road openings, fees, and bonds, and has started reviewing Ordinance 93-133 for possible updating. Obtaining a "plan" of road openings and projects from these two companies and being able to inspect and ensure repairs are being done correctly should help minimize the exorbitant amounts of base repairs that are required during projects.

Chief of Police: Chief Shuebrook requested an executive session to discuss Police personnel matters. The Chief requested permission to send Officer Tom Gauby to a three-day Crime Prevention Course at a cost of \$50.00 plus meals. Mr. Gokey moved, seconded by Mr. Hackett to grant permission for Officer Gauby to attend the training, at a cost not to exceed \$110.00. Motion passed 4-0. Chief Shuebrook stated he has old radio equipment that has no trade-in value. The Board gave direction to dispose of them as necessary. Mr. Gokey received a compliment from a realtor who was showing a house and inadvertently set off the house alarm. The realtor was impressed that Officer Gauby was on the scene within five minutes. Mr. Gokey thanked the realtor and added that Amity has the best police department in Berks County. Chief Shuebrook agreed, and explained that the police department has a very supportive Board of Supervisors, who greatly contribute to their success. The Board previously granted approval to outfit 26-2 at a cost of \$6,095.99. Chief Shuebrook requested approval to outfit 26-2 as a "slicktop" patrol vehicle instead, at a cost of \$6,448.03; a difference of \$352.04. This type of outfitting is less obvious and makes speed patrol more effective. Mr. Gokey moved, seconded by Mr. Weller to spend the additional \$352.04 for "slicktop" outfitting for 26-2. Motion passed 4-0.

SUPERVISORS

None

PUBLIC COMMENT

Mr. Richard Martino, of W. Welsh Drive, thanked the Township for clearing out the storm drainage ditch on his property this week. Mrs. Cooper asked if there was an ordinance for requirements of driveways. Mr. Weber stated new driveways must be paved, but there is no requirements for an existing driveway. Mrs. Cooper showed the Board pictures of stone that accumulated and deposited in neighbors driveways and yards after heavy rains. Mr. Cooper asked if the Township owns the Monoacy Bridge. Manager Lyon stated it is owned by PENNDOT and has been placed on the RATS project list. There are

many factors, including cost and traffic, that PENNDOT uses to prioritize these projects, which make this bridge a low priority. Mrs. McGrath noted that bridges are routinely inspected, and the Township is made aware of those findings and reports.

EXECUTIVE SESSION

At 8:45PM, with there being no further business, Mr. Weller made a motion, seconded by Mr. Hackett to adjourn to executive session without intent to return. The purpose of the executive Session was to discuss the police personnel matters and the pending notice of Unfair Labor Practice. Motion passed 4-0.

Respectfully Submitted,

Pamela Kisch
Township Secretary