

Amity Township Board of Supervisors

**Meeting Minutes**

September 2, 2015

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

The September 2, 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 7:05 PM by Chairperson Kim McGrath. The following were in attendance:

**SUPERVISORS**

Kim McGrath, Chairperson

Terry Jones

Paul Weller

David Hackett

**STAFF**

Charles E. Lyon, Manager

Kent Shuebrook, Chief of Police

Pamela Kisch, Township Secretary

Brian Boland, Solicitor, Kozloff/Stoudt

**ANNOUNCEMENTS**

None

**PUBLIC COMMENT (AGENDA ITEMS ONLY)**

None

**MINUTES**

Mr. Jones moved, seconded by Mr. Hackett to approve the August 19, 2015 minutes, as presented. Motion passed 4-0.

**FINANCE**

Mrs. Kisch reported that a \$75.00 CDL reimbursement for a road department employee was added to the disbursements, bringing the total to be approved to \$62,389.40. Mr. Jones moved, seconded by Mr. Hackett to approve disbursements as follows:

\$	42,482.40	General Fund
\$	6,082.77	Fire Fund
\$	13,311.97	Sewer Fund
\$	512.26	Liquid Fuels Fund
\$	62,389.40	<b>Total</b>

Motion passed 4-0.

**REPORTS**

**CODE DEPARTMENT-** Mr. Jones asked for an update to the grass and weed maintenance at 12 Lehmann Road, which is a vacant property. Mr. Howell-Clarke reported the property has been mowed, is on the contractor's schedule for routine maintenance, and the property is being liened for reimbursement of fees. Mrs. McGrath stated she had safety concerns regarding 612 Monocacy Creek Road. The property, which was destroyed by fire, has rubbish and a large opening to what was the basement. Manager Lyon stated the Township insisted the collapsed garage be demolished, but will speak with the owner about safety concerns and securing the site. Mr. Jones moved, seconded by Mr. Weller to authorize Steve Loomis to attend two NFSA trainings for sprinkler system plan review and inspections, at a total cost of \$375.00. Motion passed 4-0.

**ROAD DEPARTMENT-** The Manager reported Mr. Weber and Mr. Howell-Clarke inspected the pond at 306 Kingston Drive. Mr. Weber will forward a letter to the Township with his recommendation. Scott Sweigart of Forino Corporation sent a request for an early dedication for the road in Woods Edge Phase 3B. Mr. Jones stated he'd like to see a longer maintenance period, to ensure that the builder is responsible for any damages to public improvements during construction of the remaining homes yet to be permitted and constructed. The Manager will provide the Engineer with an assessment of requirements for consideration of early dedication that will be consistent with the additional requirements imposed for early dedication of Glenwood Estates and Pondview Estates. Mr. Howell-Clarke mentioned Forino still has an overabundance of topsoil in Woods Edge after hauling out over 100 Triaxle loads per the permission of the Supervisors. Forino did not have a representative present at the meeting, but it's understood they will be asking for permission to haul additional topsoil out of the Township. This item was tabled. Mr. Howell-Clarke stated the snow removal and mowing contracts are expiring. Each contract has (2) one-year extensions allowed, if mutually agreeable by the Township and Contractor. Mr. Jones moved, seconded by Mr. Hackett to authorize extending the snow removal and mowing contracts for one year. Motion passed 4-0.

### **UNFINISHED BUSINESS**

Berks Municipal Partnership will be hosting a breakfast meeting for municipal officials on September 18th, at the Strausstown Volunteer Fire Company. The topic will be Ambulance Service in Berks County. **Recycling Grant** An ADA ramp was added to the platform being ordered, to be ADA compliant, requiring additional out of pocket match for the grant. Mr. Jones moved, seconded by Mr. Hackett to authorize execution of the acceptance agreement and up to \$8,000.00 out of pocket match. Motion passed 4-0. **PENNDOT Winter Services Agreement** PENNDOT revised the Winter Services Agreement after it was executed. Mr. Jones moved, seconded by Mr. Weller to authorize execution of the revised Winter Services Agreement and adoption of Resolution 15-17A, which replaces Resolution 15-17. Motion passed 4-0. **Boone Area Library** Mr. Jones moved, seconded by Mr. Hackett to authorize release of the remaining \$7,500.00 donation to Boone Area Library. Motion passed 4-0.

### **SOLICITOR**

PAWC counsel previously approved the proposed language changes for the Hydrant Agreement. Mr. Boland stated the Hydrant Agreement is still going through the proper channels at PAWC. Mr. Boland prepared a draft letter to Douglass Township, informing them that Amity Township has only received two of the eight required composite sampler reports since the Corrective Action Plan dated May 2, 2013 was submitted by Goodwest to Amity Township and Douglass Township to address sewage issues. The two reports received show that Goodwest far exceeds several of the limitations for sewage strength contained in Amity's Sewage Disposal Ordinance and Douglass's Chapter 17 Sewers and Sewage Disposal Ordinance. The letter requested (1) either Goodwest, or in their absence, Douglass Township perform daily tests of samples collected from the composite sampler and forward those reports to Amity Township quarterly, and (2) if extent the tested samples exceed the limits set forth in Douglass's Ordinance, that Goodwest be surcharged accordingly. If an agreement is not entered into, Amity Township will review its options pursuant to the Inter-Municipal Agreement. Manager Lyon reviewed the draft letter and agreed. The Supervisors authorized Mr. Boland to send it to Douglass Township. Mr. Boland sent responses to the Manager's questions regarding the draft of the Request For Proposal (RFP) for EMS services. The Manager will review the response and try to complete the RFP. Mr. Boland presented Resolution 15-18, authorizing the Board of Supervisors to intervene on behalf of the Zoning Hearing Board in the Deal versus ZHB in the matter of the Barry Shirey decision. Mr. Boland stated if the matter is appealed to Commonwealth Court, the ZHB could testify only, and could not bring or defend actions. Mrs. McGrath moved, seconded by Mr. Jones to adopt Resolution 15-18. Motion passed 4-0.

## **NEW BUSINESS**

***Berks County Association of Township Annual Convention-*** The convention is being held October 15th from 5:00PM-9:30PM at the Oley Fair Center in Oley. There is no fee for attending since we are members of the Association. Mrs. McGrath moved, seconded by Mr. Jones to authorize Board and staff member attendance. Motion passed 4-0.

***Chief of Police job description*** - Mr. Boland's office used the job description from 2004, and revisions from 2008, and added some additional duties, based upon recent case law, such as participating in contract negotiations for management and budgets. Mr. Jones moved, seconded by Mr. Weller to approve the job description dated September 2, 2015. Motion passed 4-0.

***Gear Box Replacement-*** Mr. Jones moved, seconded by Mr. Weller to authorize spending \$3,888.69 for a gear box replacement for the Final Clarifier A. Motion passed 4-0.

***Reaffirm Advertising of Lake Drive Bridge Deck Repair Project-*** Manager Lyon stated bids will be open on September 15, 2015 at 11:00AM by the Manager or his designate. The project was advertised August 27, 2015 and September 1, 2015. Mr. Jones moved, seconded by Mr. Hackett to reaffirm the advertisement of the Lake Drive Bridge Deck Repair Project. Motion passed 4-0.

***Berks County Municipal Finance Officers Association-*** Manager Lyon asked permission to send Tracy Nonamaker, Treasurer, to the meetings at Albright College, at her discretion. Mr. Weller moved, seconded by Mr. Hackett to grant permission for the Treasurer to attend the sessions, at her discretion. Motion passed 4-0.

## **EMPLOYEE/OFFICIAL REPORTS**

**Manager:** Mr. Lyon distributed a letter from ARRO with recommendations to assess damage in the equalization basin (lagoon) liner. In order to determine the extent of the damage and reach a decision to repair or replace the liner, it requires removal of all existing grit, sludge and debris. In addition to the labor to remove this material, there will be the cost of disposal of it. The Manager asked the Board to review, as he will be asking for direction to proceed at the next BOS meeting. There has been no response to the PS7 Corrective Action Plan filing. Supplemental information was submitted on September 1, 2015 for PS2 and PS4. The new Phase I Bog Turtle Study was submitted for the Leaf Creek 662 Interceptor. Casey Blankenbiller and Dane Miller were in attendance from Daniel Boone School District. The school will be doing an informal review of their water usage before determining if they want to request meter based billing for the wastewater services. The Police Labor dispute hearing for September 2nd was postponed. This enables a meeting between the attorneys for both parties and the mediator to try and reach settlement, however a new date has not been set. Exeter Township has informally communicated that they will likely be placing a "No Trucks" sign on SR562 near Meeting House Road. Permits have been issued for About All Floors, and work has begun. The Weavertown Bridge, west of Limekiln, appears to be on schedule to re-open on September 8, 2015. The Manager submitted all ten run cards to Berks County DES, to have Exeter Ambulance Association (EAA) reinstated. They were unilaterally removed earlier this year by Brian Gottschall, Berks County Director, Department of Emergency Services (Berks DES). This action spurred a meeting that will take place on September 8th at the Exeter Township building to discuss this change and how it will affect other Run Card matters. Chairperson McGrath, Supervisor Weller, and the Manager will be attending that meeting. The Manager requested permission to attend the Berks Chamber meeting on Pensions. The meeting is on September 14th, where he will provide municipal input. Mr. Jones moved, seconded by Mr. Hackett to authorize the Manager's attendance at the September 14th meeting. Motion passed 4-0. The Manager requested permission to attend the opening of the Wyomissing Valley Sewer Plant on September 18th to view their expanded treatment facilities. Mr. Jones moved, seconded by Mr. Weller to grant permission for the Manager's attendance to the Wyomissing Valley Sewer Plant extension. Motion passed 4-0. Staff met with Daniel Boone School Acting Superintendent Robert Hurley, Bob Shannon (Athletic Director), Casey Blankenbiller, and School Board President Richard Martino and Vice President Connor Kurtz to discuss maintaining communications, field usage and the License Agreement, Holman Baseball, and a

few other items. Staff felt this was a productive session. Community Days will be held on Saturday, September 12, 2015. The Manager issued a block party permit for the day, which will allow closing Postal Road between SR662 and the eastern-most entrance of Ace Hardware. The Manager will resurrect the Cobra Head portion of the intersection lighting project and present budget information at the September 16th meeting. Our ECON consultant has located a GE Light head that will cost \$300.00 less than last project; which would make the payback around 4.5 years. Mr. Lyon requested an executive session to discuss progress in the Chief of Police search, several administrative matters, WWTP employee matters, administrative personnel matters, and 429 employee matters. The Manager noted the Chairperson will be on vacation next meeting, and Mr. Gokey will be working out of the area, to ensure there would be a quorum. The other Supervisors plan on attending the September 16th meeting.

Mr. Mike Miller, Amity Elementary Center Principal reported issues with traffic issues being caused when car and bus traffic combine on their property. Mr. Miller and Mr. Blankenbiller proposed changes to stop car and bus traffic from interacting, by providing two separate egresses. Parents' vehicles would exit at the south end of Boone Drive, and buses would exit at the north end of Boone Drive. Buses will unload students three buses at a time. Mr. Jones asked if Boone Drive was a Township Road. Manager Lyon stated a small portion off of Rosecliff, to the rear of the property lines is Township owned. Mr. Jones stated the school can do what they want with the road, since it is their road. Mr. Boland stated the traffic route proposed is actually how the original plan read. Mrs. McGrath stated she dropped her children off there and never used the proposed route. Chief Shuebrook stated cones will not stop traffic from going where they want. Mr. Blankenbiller stated both he and Mr. Miller will both be there to facilitate the changes. The Chief stated there is more visibility when traffic is backed up on Rosecliff than it is on Old Airport Road, citing concerns of potential accidents. Mr. Miller stated the stacking of arrival times, and having only 11 buses should prevent visibility on Old Airport from being an issue. Mr. Weller stated he drops students off, and didn't think this was a problem. Mr. Blankenbiller stated the complaint came directly from the bus company. Mr. Boland stated a motion was not necessary for the change in traffic routes at the school; it was just necessary that the Board of Supervisors be made aware. Chief Shuebrook recommended placing signs that restrict areas of "bus only" traffic. Mr. Miller and Mr. Casey said that would be done and thanked the Board for their time, and stated they would notify parents by "Connect Ed".

**Chief of Police:** The Chief reminded residents to lock their cars and homes. On August 27th there were three burglary/attempted burglaries in the 700-800 block of Meadowcrest Drive. Entry was made to vehicles and residences via unlocked doors and windows. Mrs. McGrath asked for a status of the police vehicle fleet. Chief Shuebrook noted that the delay for bar lights seems to be industry-wide. Currently there are five police vehicles road ready. Vehicles without bar lights cannot be used for emergencies. 26-4 is out for repair. The Chief vehicle has over 150K miles and is showing signs of body rust, and should be considered for replacement next year.

### **SUPERVISORS**

None

### **PUBLIC COMMENT**

Jon Herbsleb, EAA, asked when the RFP for EMS services would be ready. Mr. Boland stated he answered the Manager's questions regarding the draft RFP. Manager Lyon stated based upon Mr. Boland's answers, he plans on meeting with the Township's insurance agent, but he only received the document today

### **EXECUTIVE SESSION**

At 8:20, with there being no further business, Mr. Jones made a motion, seconded by Mr. Weller to adjourn to executive session without intent to return. The purpose of the executive session was to discuss progress in the Chief of Police search, several administrative matters, WWTP employee matters, administrative personnel matters, and 429 employee matters. Motion passed 4-0.

Respectfully Submitted,

Pamela L. Kisch  
Township Secretary