

Amity Township Board of Supervisors

Meeting Minutes

October 21, 2015

Call to Order/Pledge to the Flag

The October 21, 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 7:03 PM by Chairperson Kim McGrath. The following were in attendance:

SUPERVISORS

Kim McGrath, Chairperson
Richard Gokey, Vice 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
John Weber, Engineer, LTL Consultants

ANNOUNCEMENTS

None

PUBLIC COMMENT (AGENDA ITEMS ONLY)

None

MINUTES

Mr. Weller moved, seconded by Mr. Hackett to approve the October 7, 2015 minutes, as presented. Motion passed 5-0.

FINANCE

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

\$ 533,827.38	General Fund
\$ 93,029.92	Fire Fund
\$ 59,344.50	Sewer Fund
\$ 88,217.33	EDU Fund
\$ 87,598.33	Recreation Fund
\$ <u>7,578.25</u>	<u>Liquid Fuels Fund</u>
\$ 869,595.71	Total

Mrs. McGrath asked if the payment to A-1 Traffic was for line painting on Maplewood. Lines on that road appear to have been done incorrectly, covered over, and lines were repainted. The Manager stated A-1 did the line painting, but he was unaware of the mixup. Mr. Lyon will check with Mr. Howell-Clarke. Motion passed 5-0. Mrs. McGrath questioned if the Recreation Fund deficit was the amount that fund owed back to the General Fund. The Manager stated it was. When recreation fees are collected, those dollars are used to pay back into the General Fund.

REPORTS

FIRE COMPANIES- Assistant Chief Robert Kline stated Monarch will be holding a chicken BBQ in the middle of November and will begin selling cashews and peanuts this weekend. The Board reviewed

Monarch's fire company reports. Chief Zomolsky was unable to provide Amity's reports. Mr. Weller stated Amity Fire Company had some trouble changing things over.

PLANNING COMMISSION- Brian Boyer, Boyer Engineering, presented drawings to the Board for the B&S Storage land development plan. On October 14, 2015, the Planning Commission voted unanimously to recommend the Board of Supervisors allow an in-house review of the B&S Storage land development plan. Mr. Boyer stated the plan enhances stormwater control and landscape only. The plan will require ZHB variances to increase the paved area to 62%, as well as setbacks. Mrs. McGrath asked if they were increasing the parking area. Mr. Boyer stated they would also be seeking a variance to expand the parking. Mr. Weber stated that he would be reviewing the plan to determine the amount of escrow required for a financial improvements agreement for items of concern. After discussion, Mr. Gokey moved, seconded by Mr. Jones to allow an in-house review, subject to staff approval, establishment of an improvements agreement to guarantee the construction of certain stormwater facilities, and final, approval of the land development plan by the Board of Supervisors. Motion passed 5-0. Mr. Boland stated he wanted to be clear; final approval of the plan must be an agenda item for the Board of Supervisors, and will be signed off by a resolution.

UNFINISHED BUSINESS

Eric Friend, 306 Kingston Drive, appeared in response to a letter from Manager Lyon, dated 9/23/2015. Based upon the engineer and roadmaster's report of September 9, 2015, the Manager's letter conveyed the Board's decision that the homeowner is responsible, as noted on the deed, to maintain the detention basin. Mr. Friend stated portions of the basin stay wet for prolonged periods of time making it difficult to mow and resulted in cattails growing. Mr. Gokey stated he is not required to cut cattails down. Mr. Friend claimed he removes 10-15 wheelbarrels of anti-skid from his basin in a year; which he disposed of on the back side of the berm on his property. Mr. Friend stated he is unwilling to continue disposing of the Township's anti-skid and will dump it back out into the public street and contact the Township when he has done so. Mr. Boland explained the Township is not unsympathetic, but cannot spend public taxpayer dollars to complete private property improvements. Mrs. McGrath recommended Mr. Friend contact the Township before the materials drain into the basin. Mr. Boland stated if staff determines it's Township materials, staff could see fit to have it removed.

SOLICITOR

Mr. Boland stated the proposed ordinance is to amend Section 203 maximum speed limits which have not previously been updated; stop signs at intersections, in addition Section 207 certain street signs to allow passenger vehicles only, and parking distances to conform with the current vehicle code for parking near hydrants and fire companies; as well as increasing the fee for parking violations. Mr. Gokey moved, seconded by Mr. Weller to adopt Ordinance 290, the amendment to Section XIX. Motion passed 5-0. Mr. Boland presented the Perpetual Easement Agreement for Woods Edge Phase 3C between Forino Company LP and Amity Township, granting the perpetual right-of-way and easement to correct, patrol, inspect, alter, maintain, repair, or replace the stormwater discharge area improvements, drainage easement and all appurtenances thereto, in, over and across the property. Mr. Jones moved, seconded by Mr. Weller to accept the Perpetual Easement Agreement between Forino Company LP and Amity Township for Woods Edge Phase 3C, as outlined in the agreement. Motion passed 5-0. Mr. Boland mailed a second letter to Douglass Township regarding Goodwest on October 21, 2015. Granan Development LLC contacted the solicitor, indicating they would like to put together a plot plan for 623/625 E Ben Franklin Highway, that will require variances. The owner requested a meeting to discuss and offered to pay applicable fees. Mr. Weller moved, seconded by Mr. Gokey to authorize staff to meet with Granan Development LLC representatives, provided they pay fees. Motion passed 5-0. Mr. Gokey moved, seconded by Mr. Weller to appoint Andrew Kensey as Chief of Police, by way of Resolution 15-21, with a salary of \$90,000.00, effective December 1st, 2015 and authorize execution of the employment agreement. Mr. Boland stated the contract shall be in effect from December 1, 2015 through December 1, 2018. A 120 day notice must be given to terminate this contract.

Motion passed 5-0 . Mrs. McGrath introduced the new Chief. Mr. Kensey stated he has twenty years experience in law enforcement and is very appreciate of the appointment. Mr. Gokey stated there were many excellent applicants, but Mr. Kensey stood out from the crowd, and he is proud to have him here at Amity.

ENGINEER Mr. Weber stated his study of the Meetinghouse and Weavertown Roads intersection warranted prohibiting traffic to passenger vehicles only, due to turning radius and the size of trucks. Mr. Weber made the Board aware that he has sent correspondence to THP Properties, requesting a status for Phase 3 Section 2 and has not received a response. The Planning Commission accepted a new plan for review for Arbour Green, for 72 semi-detached, age targeted (not age restricted), homes. Mr. Boland stated variances were granted years ago and Granan went through a Conditional Use Hearing. At that time, the plan was ready for final review, but was never submitted. Mr. Boland stated the developer may be looking to clean up some items such as the roads being private, and having public sewer and water. Mr. Weber stated that those items would be addressed within the review. Phyllis Cooper, Limekiln Road, questioned the safety of allowing RVs to park in driveways. Mr. Gokey stated that was addressed, and they cannot be parked into the sidewalk or public right-of-way.

NEW BUSINESS

Long & Barrell Engagement Letter Mr. Jones moved, seconded by Mr. Weller authorize the execution of the engagement letter dated September 28, 2015 and authorize the solicitor to prepare the resolution and place the necessary advertisement. Motion passed 5-0.

EMPLOYEE/OFFICIAL REPORTS

Manager: The Manager sent the draft of the RFP to Eastern EMS Council Josh Kulp. Mr. Kulp explained he will be making comments/recommendations and respond with a new draft. The Manager provided an update to the budget. The Township was notified there would be an additional \$50K in liquid fuels allocation. The 2015 budget was balanced by encumbering approximately \$130K from the carryover (surplus). The General Fund will balance or have a deminimis deficit. The Manager stated the US Fish & Wildlife employee working on the Township's application quit. Until that employee is replaced, the application will not be processed. The PADEP is conducting an investigation into ground water contamination in the vicinity of 100 Ben Franklin Highway East. Beginning after November 1st, 2015, PADEP will be conducting ground water monitoring of wells. The owner of 1207 Old Swede Road approached the Manager to see if the Township would still be interested in that property; if so, the Manager would like to discuss in executive session. Both recycling contracts expire at the end of 2015. After discussion, Mr. Gokey moved, seconded by Mr. Weller to approve a one-year extension of the JP Mascaro recycling contract. Motion passed 5-0. It was the consensus of the Board that recycling contracts should be looked at next year, again. The Manager stated there was only \$600.00 in revenue from the Cougles recycling collection. Mr. Boland stated that dollar amount is well below the threshold requiring advertisement. The Township could simply obtain three quotes and choose the lowest quote. Mr. Howell-Clarke provided the Manager with an estimate for the crumbling curb replacement. Using Township staff to remove the sidewalk, regrade, topsoil and seed, he estimated the project to cost \$43,710.00. This will be in the capital street projects, including replacement of curb and ADA ramps, which will increase the impervious area and decrease the pervious area on one side. The lagoon was drained to get a depth reading for the amount of sludge that needs to be removed. Mr. Boland stated this project cannot be considered maintenance and will require bidding. The Manager stated the bid will likely be subjected to prevailing wage, which will drive up the overall cost of the project. The Board gave direction to the Manager to obtain a quote from ARRO to create bid specifications and advertise for bidding.

Chief of Police: The Chief would like to finish the disciplinary policy before his retirement. Manager Lyon stated he has the draft of the disciplinary policy that contained Mr. Boland's recommended changes. Chief Shuebrook stated Car Smart in Douglassville has a 2003 Mercury Grand Marquis that

has 55,000 original miles, with a sale price of \$5,800.00. The Chief suggested this be used for the new Chief, and placing current Chief vehicle (Ford Explorer) into the police vehicle fleet. After discussion Mr. Jones moved, seconded by Mr. Gokey to authorize the purchase of the 2003 Grand Marquis for \$5,800.00. Motion passed 5-0.

SUPERVISORS

None

PUBLIC COMMENT

Judy Focht, 736 Lake Drive, questioned allowing an RV to park in driveways in Amity Gardens. Although it is currently in violation of the Ordinance to park an RV in the driveway, Mrs. McGrath explained that the Board has discussed and agreed that because of the smaller lots, a draft of a change in Ordinance which would allow parking RVs in the driveways in all zoning districts. Denise Larive, News of Southern Berks, asked when Old Airport road would be completely fixed. PAWC was doing water main work in that area and the road repairs are rough. The Manager stated that would be a PENNDOT call, and with approaching bad weather, there's no guarantee it will be done this year.

EXECUTIVE SESSION

At 8:47PM, with there being no further business, Mr. Jones made a motion, seconded by Mr. Hackett to adjourn to executive session with no intent to return. The purpose of the executive session was to discuss personnel matters. Motion passed 5-0. Meeting adjourned.

Respectfully Submitted,

Pamela L. Kisch
Township Secretary