

**Amity Township Board of Supervisors
Meeting Minutes**

February 17, 2016

Call to Order/Pledge to the Flag

Supervisor Paul Weller called the February 17, 2016 meeting of the Amity Township Board of Supervisors, held at the Township Municipal Building, 2004 Weavertown Road, Douglassville, Berks County, Pennsylvania, to order at 7:00 PM. The following were in attendance:

SUPERVISORS

Paul Weller
Terry Jones
David Hackett

STAFF

Troy Bingaman, Manager
Brian Boland, Solicitor/Kozloff Stoudt
John Weber, LTL Consultants
Pamela Kisch, Secretary

ANNOUNCEMENTS

Mr. Weller announced the annual St. Paul's UCC Community Easter egg hunt will be held at 11:00AM on Saturday, March 26th, rain or shine, at 1312 Old Swede Road and is open to children ages one through ten. Chairperson Kim McGrath and Vice Chair Richard Gokey were not present.

PUBLIC COMMENT (AGENDA ITEMS ONLY)

None

MINUTES

Mr. Jones moved, seconded by Mr. Hackett to approve the minutes of February 3, 2016. Motion passed 3-0.

FINANCE

Mr. Jones moved, seconded by Mr. Hackett to approve the following disbursements:

\$ 50,048.80	General Fund
\$ 8,470.16	Fire Fund
\$ 30,764.16	Sewer Fund
<u>\$ 17,871.34</u>	<u>Liquid Fuels Fund</u>
\$ 107,154.46	Total

The Board reviewed the Overtime by Department and Treasurer's Report.

REPORTS

Fire Companies - Chief Keith Gabel reported Monarch Fire Company would hold their Chicken BBQ in April in the Redner's parking lot. Amity Fire Company awaits delivery of air packs, which were purchased through a FEMA grant. Chief Zomolsky reported Amity's Truck Committee would be traveling to Wisconsin to review specs on the new fire truck. Two Officers will remain in Amity to

respond to emergency calls. Drivers will be on duty during day shift hours while the Truck Committee is in Wisconsin.

Planning Commission - Highmeadows Phase 3 Section II - At the February 10, 2016 meeting, the Planning Commission voted 4-0, recommending approval of the Highmeadows Phase 3, Section II Final Plan. Mr. Weber reported all items from his letter dated February 5, 2016 have been completed, with exception of the improvements and financial security agreement. Mr. Jones moved, seconded by Mr. Hackett to approve the Highmeadows Phase 3 Section II Final Plan, conditioned upon completion of the improvements and financial security agreement and posting of the Letter of Credit. Motion passed 3-0. Mr. Boland stated he will follow-up with Attorney Kate Durso tomorrow for execution of the same.

UNFINISHED BUSINESS

Peddling Ordinance Mr. Jones stated the Peddling Ordinance was crafted to keep peddlers in order. Manager Bingaman stated the Fee Schedule would be amended to increase fees for a Peddling Permit, in efforts to minimize solicitation within the Township. Mr. Jones moved, seconded by Mr. Hackett to approve Ordinance 291. Motion passed 3-0.

SOLICITOR'S REPORT

No report.

ENGINEER'S REPORT

Mr. Weber reported the ***Highmeadows Concrete Project 18-month Maintenance Agreement*** was set to expire in mid-March 2016. The contractor offered to provide an updated maintenance bond and the Maintenance Agreement will be extended indefinitely, until all work is completed and all approvals have been granted. Mr. Weber stated he anticipated having the maintenance bond and agreement to the Township for execution within a week or two. Mr. Jones asked if any action was required by the Board. Mr. Boland stated it was not necessary, as this is considered a housekeeping item.

Mr. Weber met with members of the Recreation Board, a representative from DBYS, Supervisor Weller and the Manager regarding concerns and questions regarding the development of ***888 Old Airport Road*** and baseball fields. DBYS would like to make one field smaller, and the other two fields larger. Mr. Weber stated construction would require a PENNDOT Low-Volume Driveway Permit and a NPDES Permit, which could take 3 to 6 months to obtain. Mr. Jones moved, seconded by Mr. Weller to authorize LTL to proceed with obtaining both permits. Motion passed 3-0. The Board directed Mr. Weber to draft a new plan to include the requested changes.

NEW BUSINESS

Lagoon Project Award - Mr. Boland stated bid opening was conducted via PennBid on February 11, 2016 with ARRO's oversight. The low bid for ***Contract 1*** (construction of the liner) was \$64,400.00, submitted by Atlantic Lining Company, Inc. The low bid for ***Contract 2*** (cleaning, hauling, and disposal) was \$302,198.00, submitted by P&H Senesac Inc. Mr. Boland stated the contracts were reviewed by himself and ARRO. Mr. Boland recommended awarding the lowest bids. Mr. Jones moved, seconded by Mr. Hackett to award Contract 1 to Atlantic Lining Company, Inc. for \$64,400.00 and Contract 2 to P&H Senesac, Inc. for \$302,198.00. Motion passed 3-0.

Pamart/GPMX, LLC Conditional Use - Mr. Boland stated the applicant is seeking approval for the proposed use of a recreational facility for motorcycle track, for the property located at 625 W. Ben Franklin Highway. The Hearing must be held within 60 days from the date of application.

Mr. Boland recommended holding the hearing on a non-meeting night. Mr. Marco Sanna attended the meeting on behalf of the applicant. The Board set the date of the hearing as Thursday, March 3, 2016 at 6:00PM. If the hearing should require a continuance, it will be scheduled for Thursday, March 10, 2016 at 6:00PM. Mr. Weller asked that Staff follow up with the Mrs. McGrath and Mr. Gokey to determine their availability for the Conditional Use Hearing. Mr. Sanna stated he would attend the hearing if the applicant were unable to attend. Mr. Boland's office will place the necessary advertisements.

Crane Truck Quote- Mr. Bingaman asked that this matter be deferred to a later date.

EMPLOYEE/OFFICIAL REPORTS

Manager's Report: Manager Bingaman requested an *Executive Session* to discuss potential litigation. Mr. Jones requested an executive session to discuss personnel matters.

Appointment of Entech Engineering as the Waste Water Engineer The Manager stated Mike Sassaman has begun working with Entech Engineering. Entech has agreed to match the rate currently paid to ARRO for Mr. Sassaman's services. The Manager recommended the Board retains the knowledge and expertise of Mr. Sassaman and appoint Entech for the remainder of 2016. Entech is a larger firm with more diversified personnel. Mr. Jones asked if the Lagoon Lining Project designated ARRO to provide inspections. The Manager stated there was no agreement for these services; if ARRO were to complete inspections they would bill hourly. Entech could begin providing oversight of the Lagoon Project, Leaf Creek Interceptor, Chapter 94 Reports, PADEP CAPs, etc. The Manager will request that ARRO transfer all files to the Township. Mr. Boland stated that the ARRO and Entech agreements were modified to specify that all documents are Township property. Mr. Jones moved, seconded by Mr. Weller to terminate the ARRO agreement and appoint Entech Engineering as the Township's Waste Water Engineer for the remainder of 2016; and, authorize sending notices to proceed with transitioning of the Lagoon Lining Project. Motion passed 3-0.

RFP to solicit proposals for a new ZHB attorney Tom Bosler, Chairperson of the ZHB, contacted the Manager regarding dissatisfaction related to delayed responses and official decisions provided by the current Zoning Hearing Board attorney. The Manager recommended issuing a brief RFP. Mr. Jones asked if a motion was necessary. Mr. Boland stated no action was required at this time; however, an appointment would need to be made.

888 Old Airport Road Mr. Weller stated he attended the meeting with DBYS representatives regarding development of the site. Mr. Weller recommended placing conduit for utilities, when the Township does the rough grading. Mr. Jones questioned whether the current well had sufficient capability for hosting the recreational facility. Mr. Weller will contact C.S. Garber & Sons to determine the well capability. Mr. Jones stated staff should check with the utility providers to determine if service would be provided overhead or underground. Mr. Weller stated it was the Board's intention to use Township personnel to complete as much of the work as possible.

LED sign for the Township Lucky Squirrel Printworks submitted the lowest quote to date for a new Township sign. The bid of \$18,900.00 is under the bid threshold and allows a sign with up to five rows of text to be displayed using red LED diodes. Full-color LED would have increased the quote to over \$20K, which requires a sealed bid. Mr. Weller asked if any of the existing sign could be re-used. Mr. Bingaman affirmed it could not, as the new sign would require a new foundation. Mr. Bingaman asked if the Board would like to wait for all members to be present to take action. Mr. Jones stated it was not necessary, provided all members present were in favor of the sign. Mr. Jones moved, seconded Mr. Weller to authorize the purchase of the LED sign, at a cost not to exceed \$18,900.00, from Lucky Squirrel Printworks. Motion passed 3-0. Denise Larive, News of

Southern Berks, questioned where the sign company was located. Mr. Jones stated it is a local company, out of Douglassville. The Manager stated TekStar manufactures the LED board.

Chief of Police: Chief Kensey was attending the Lions Club meeting and was not present. Mr. Weller stated he is very pleased with the amount of detail provided in the Chief's Report.

Root Cutter – Wastewater Treatment Plant: Mr. Bingaman reported he the root cutter needs to be replaced. Mr. Wheeler obtained a quote of \$3,150.00 to purchase a Turbo II Rigid Cutter. The Manager stated this item was not budgeted. Mr. Jones asked the specifications of the root cutter, stating if it had chains rather than a blade it was likely not a good idea. Mr. Bingaman was unable to provide additional information. Mr. Jones made a motion to approve spending up to \$3,150.00 for the replacement root cutter. Mr. Weller seconded the motion. Mr. Jones stated he would like this purchase reaffirmed at the March 2nd meeting, giving details of the type being purchased. Motion passed 3-0.

SUPERVISORS

Mr. Jones requested an executive session to discuss personnel matters.

PUBLIC COMMENT

Blasting in Glenwood Estates Ragan Newman, 309 Applewood Drive, reported during the first blast on January 19th, the PADEP and Mr. Loomis were on site, and Maine Drilling & Blasting (MD&B) complied with all regulations. Blasting was completed with half-sticks of dynamite. Mrs. Newman alleged that subsequent blasts were stronger, using full-sticks of dynamite and were aimed toward their houses rather than towards the rear of the lots. Mrs. Newman has pre-blast video and pictures of her basement; however, damages were sustained on her second floor. Pictures were not taken of the second floor before blasting. Mrs. Newman stated another neighbor's property also sustained damages. MD&B is denying payment of their claims, and Mrs. Newman asked for the Board's assistance. Derek Hubbard, 524 Glenwood Drive, stated nobody from the PADEP or Township was present for the seven subsequent blastings. Mr. Hubbard described a time when blasting was done late and disrupted the school bus schedule. The Township was not notified by the school of any problems relative to the blasting. Debra Levens, 535 Glenwood Drive, stated she has video of the stronger blastings. Mr. Jones asked Mrs. Levens to provide the video to the Manager or Secretary. Mr. Weller stated the Manager would look into the matter. Mr. Jones said there should be a way of pulling their permit. Mr. Bingaman clarified with Mr. Boland that the PADEP has ultimate control of blasting. Mr. Boland affirmed the same. Mrs. Levens stated part of the concern is that the PADEP does not have requirements for blasting that are specific to residential areas. Mrs. Newman questioned why contaminated ground is not being removed within 24 hours, as she believes regulations require. Mrs. Newman stated she has filed complaints with the PADEP that have gone unanswered; and a Right-to-Know Request was denied by the PADEP. Mr. Boland stated Mrs. Newman could request an appeal within 30 days of the Right-to-Know denial. Mr. Weller recommended contacting Representative David Maloney and Senator John Rafferty regarding their dissatisfaction with the PADEP. The Manager will work with Mr. Loomis regarding these concerns.

Mr. Ethan Kraycik, Scout Troop #597, attended the meeting to take notes and gather information for his Citizenship in the Community Badge. Mr. Weller directed Mr. Kraycik to give his information to the Secretary, who will provide a copy of the minutes from the meeting.

EXECUTIVE SESSION and ADJOURNMENT

At 8:01 PM, with there being no further business, Mr. Jones made a motion, seconded by Mr. Hackett to adjourn to executive session, with no need to return. Matters for discussion in executive session pertained to potential litigation and personnel matters. Motion passed 3-0. Meeting adjourned.

Respectfully submitted,

Pamela L. Kisch
Township Secretary