

Amity Township Board of Supervisors
Meeting Minutes

May 4, 2016

Call to Order/Pledge to the Flag

Vice Chairperson Richard Gokey called the May 4, 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 7:00PM. The following were in attendance:

SUPERVISORS

Kim McGrath, Chairperson (arrived during the pledge)
Richard Gokey, Vice Chair
Paul Weller
Terry Jones
David Hackett

STAFF

Troy Bingaman, Manager
Andrew Kensey, Chief of Police
Brian Boland, Kozloff/Stoudt Attorneys
Alistair Howell-Clarke, Roadmaster
Tracy Nonamaker, Treasurer
Pamela Kisch, Secretary

Mrs. McGrath arrived just after the meeting was called to order.

ANNOUNCEMENTS

Mrs. McGrath announced the burn ban was lifted on April 29th, by order of the Fire Marshal.

Mrs. McGrath announced residents might receive calls or visits from survey crews for the Spotted Lanternfly (SLF), as early as this week. Crews will be surveying properties for mature Ailanthus (Tree of Heaven). Mature trees would be banded to determine the level of infestation of the SLF.

PUBLIC COMMENT (AGENDA ITEMS ONLY)

None

MINUTES

Mr. Gokey moved, seconded by Mr. Hackett to approve the minutes of April 20, 2016. Motion passed 5-0.

FINANCE

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

\$ 101,342.09 General Fund
\$ 40,352.86 Sewer Fund
\$ 900.00 EDU Fund
\$ 7,126.69 Liquid Fuels Fund
\$ 149,721.64 Total

Mr. Gokey questioned an invoice for mower repairs. Mr. Howell-Clarke replied the large mower was repaired. Motion passed, 5-0.

The Board reviewed the Overtime by Department.

REPORTS:

Code Report - Mr. Jones reported a house that is up for auction on Worman Road has high grass; and requested Mr. Loomis review for a potential violation. Mr. Bingaman reported the number of permits is higher than last year at this time. Mr. Gokey questioned the RV Parking NOV; stating these violations are under the purview of the Police Department, per recent Ordinance changes. Mr. Bingaman stated those ordinance revisions have not been adopted yet; however, would be discussed later in the meeting.

Road Report - Mr. Jones reported numerous potholes on Blacksmith Road, by the pump station. Mr. Howell-Clarke stated he was aware, and they are on his radar. Mr. Howell-Clarke reported they received the truck body for the dump truck earlier in the day. Due to mild winter weather, street sweeping costs were less than anticipated. Mr. Jones asked if we knew the tonnage of materials collected during street sweeping. Mr. Howell-Clarke will determine the amount and report back to the Board.

Waste Water Treatment Plant Report - The Board had no questions.

UNFINISHED BUSINESS

Mary Grbavac had sent email complaints and concerns regarding the ***Monarch Fire Company Board Shoots***. Mrs. McGrath spoke with fire company personnel, who stated they have been holding Board Shoots once per month, for eight months each year, as a fundraiser. Mrs. Grbavac was not present at the meeting. After a short discussion, Mrs. McGrath asked that staff prepare a letter to Mrs. Grbavac explaining when the next Board Shoot is held, the Police will measure the decibel level at her property line. If the noise were in excess and a violation of the Noise Ordinance, the Township would require Monarch Fire Company to request a Block Party Permit for the dates of the event(s).

The ***Parks and Recreation Ordinance*** was amended to read any animals permitted in a park must be on a leash and under control of their handler at all times. Mr. Bingaman stated the Ordinance was properly advertised and ready for adoption. Mr. Jones moved, seconded by Mr. Weller to adopt Ordinance 292. Motion passed, 5-0.

The current version of Caselle is unsupported, creating potential vulnerability. Mr. Bingaman and Ms. Nonamaker researched replacing the accounting software and found the ***Caselle upgrade*** to be the most appropriate. The cost to upgrade includes replacing two computers to be compatible with the software, at a cost of \$15,510.00 for the first year. Mr. Jones asked if this was a budgeted item, to which the Manager affirmed. Mr. Bingaman stated the overall cost to upgrade is \$43K; financed interest-free over five years. Mr. Jones moved, seconded by Mr. Weller to purchase the ***Caselle Software Upgrade***, at a cost of \$15,510.00 for the first year and \$8,760.00 per year, for the next four years. Motion passed, 5-0.

Mr. Bingaman stated current sewer bills are mailed by postcard, are time consuming, and offer limited ability to provide messages to residents. BFMC, the company who currently provides the postcards, could generate 8.5" x 11" bills and mail them, at a cost of approximately \$2,000.00 per quarter, an overall increase of \$497.00/quarter. Mr. Jones moved, seconded by Mr. Hackett to approve ***outsourcing sewer bill printing and mailing to BFMC***. Mr. Gokey questioned why this cost could not be allocated to the Sewer Fund. Mr. Bingaman responded that is the intention for this piece.

Mr. Gokey asked if it would make sense to approve electronic processing of bills and payments at the same time. Mr. Bingaman explained there are multiple pieces to arrive at that level. Staff is still gathering information and negotiating rates, which, will be presented in the near future. Motion passed, 5-0.

Mr. Boland asked the Board for comments regarding the latest proposed ***draft changes to the Zoning Ordinance***. Mr. Bingaman shared Mr. Loomis' concerns regarding verbiage and content of the draft. After discussion, Mr. Boland stated he would change the draft as follows: "must be parked off-street, in a driveway, and be outside all public right-of-ways". Mr. Weller questioned if there was any input to update the digital sign section of the ordinance. Mr. Bingaman stated he had no requested changes from Mr. Loomis. Mr. Boland will present the recommended change to the Planning Commission on May 11th, and return to request permission to advertise at the May 18th Board meeting.

SOLICITOR'S REPORT

Mr. Boland received a request from the solicitor for the ***Tax Collection Committee (TCC)***, formerly Berks EIT, to present a resolution allowing them to utilize a third party to collect delinquent EIT payments. Mr. Boland recommended some minor changes, and plans on presenting the final version for future consideration. The ***Unfair Labor Practice Hearing*** was held last week. Officers withdrew their complaint, in exchange for the Township affording them the opportunity to review the promotional policy. Mr. Boland said specifics on the promotional process itself would be provided, however the substance of the policy will not, as per case law. The Bargaining Unit was asked to review the promotional policy and return with comments within two weeks. Mr. Boland reported the hearing for grievances filed by Cpl. Brown, Officers O'Rourke and Devlin, and Detective Smith was being held this evening. Neither the officers, nor their Counsel were present at the hearing. Mr. Boland stated the Chief issued ***Counseling Memos*** to the officers, to point out areas that needed improvement. Counseling Memos do not form a basis for disciplinary action, nor are they kept in the employees' personnel files. Mr. Boland advised the Chief has a right to issue Memos of Counseling as a means of coaching; and recommended denying the grievances. The Board agreed. Mr. Gokey moved, seconded by Mr. Hackett to authorize Mr. Boland to ***deny the grievances***. Motion passed 5-0.

NEW BUSINESS

Eagle Scout Project at Monocacy Hill - James Kriner, Troop #597, requested permission to construct a new kiosk at Monocacy Hill as part of his Eagle Scout Project. Current information is posted and becomes weathered. Mr. Kriner stated the new kiosk would provide covered space for information pertaining to hunting seasons and regulations. Monocacy Hill Redners Tape Program and family members will provide funding for the project. Mr. Bingaman stated the May 2nd Recreation Board meeting was canceled for lack of a quorum; however, the project was presented to the two members in attendance and provided via email to other members who all have voiced support of the project. Mrs. McGrath asked Mr. Kriner to keep in touch with the Township and the Monocacy Hill Conservation Assoc. The project should be complete in late August to early September. Mr. Jones moved, seconded by Mr. Hackett to authorize Mr. Kriner to proceed with his Eagle Scout Project, as proposed. Motion passed, 5-0.

Updated Alternate Sewage Enforcement Officer (SEO) - LTL Consultants sent notice they have hired a new Sewage Enforcement Officer (SEO) and requested the Township submit an updated form to the PADEP. Mr. Weller moved, seconded by Mr. Hackett to authorize submitting the updated Alternate SEO form to the PADEP. Motion passed, 5-0.

Insurance Policy Renewal - Mr. Bingaman presented the renewal package for Public Official, Law Enforcement Liability and Property Insurance. The premium increase is \$2,551.00, which is an increase of just under 3%. Mr. Weller moved, seconded by Mr. Gokey to approve the renewal policy with Richard I. Hart for \$90,349.00. Motion passed, 5-0.

Permission to Band Trees at Monocacy Hill - Risa Marmontello, of the MHCA, stated she and Mrs. Kisch attended a training last week regarding tree banding, which is used to monitor the infestation level of the Spotted Lanterfly. Many of the larger Trees of Heaven were taken down a few years ago. Ms. Marmontello was able to find one tree that should be banded on the Hill; and believes there may be more trees that could be banded. She requested/needed permission from the Board since the property is owned by the Township. Mr. Bingaman stated road department personnel would band other Township owned properties, once trees are identified with SLF being counted and reported by the Secretary. Mr. Weller moved, seconded by Mr. Hackett to authorize Ms. Marmontello to band trees at Monocacy Hill. Motion passed, 5-0.

Contract Awards - Mr. Bingaman reported EJB Paving & Materials Co. was the low bidder for the Paving Contract; and Reamstown Excavating was the low bidder for the ADA Ramp and Curb Contract. Mr. Boland has reviewed the bids provided and affirmed they are in order. Mr. Gokey moved, seconded by Mr. Hackett to award both contracts to the lowest bidders. Mr. Gokey asked when the projects would begin. Mr. Howell-Clarke replied work will begin after June 13th and completed before August 19th. Motion passed, 5-0. EJB's bid for Paving (Contract #1) was \$129,163.84 and Reamstown Excavating's bid for ADA Ramp and Curb (Contract #2) was \$76,210.00.

EMPLOYEE/OFFICIAL REPORTS

MANAGER'S REPORT:

LERTA - Mr. Bingaman will be supplying a revised map identifying what properties could be part of the LERTA and who owns those properties.

Copier Replacement - The Police copier needs to be replaced. Mr. Bingaman recommended moving the copier from the admin side to the police side; and replacing the admin copier with a faster model. The new copier would use the same supplies and would be similar in functionality. The lease would be an overall increase of \$1,531.25 to the 2016 budget. Mr. Jones moved, seconded by Mr. Gokey to authorize replacing the copier, as recommended. Motion passed, 5-0.

Winter Storm Jonas Reimbursement - Mr. Bingaman reported the Township submitted \$69,473.72 for reimbursement of costs incurred during Winter Storm Jonas. Mr. Bingaman expects to receive approximately \$52K in reimbursement.

Local Use of Radar - Resolution 16-20 - Mr. Bingaman stated the PA Municipal League advises of proposed or recently adopted legislation. Most recently, they requested municipalities who support use of radar by municipal police submit a resolution. Mrs. McGrath moved, seconded by Mr. Gokey to adopt Resolution 16-20. Motion passed, 5-0.

Proposed Executive Session Amendments – He stated the same group recommended a letter in opposition of a House Bill requiring video and audio for executive sessions and deliberations, eliminating briefings and changes to personnel rules, narrowing employment selection. Mr. Gokey moved, seconded by Mr. Weller to authorize the Manager to draft a letter of opposition. Motion passed, 5-0.

CHIEF OF POLICE:

Chief Kensey and Officer Gauby will be participating in the Race against Crime being held at Slick Willy's on Wednesday, May 18th. The Chief and Officer Gauby will be "cops speeding for charity". The winning cop team receives a trophy and \$1,000.00 donation to the charity of their choice. Chief Kensey requested additional training funds to attend FBI-LEEDA Training. Mr. Gokey asked if the General Fund had some extra funds that could be utilized. The Manager affirmed. Mr. Gokey moved, seconded by Mr. Hackett to authorize spending \$1,300.00 on training. Motion passed, 5-0.

SUPERVISORS

Mr. Jones requested an executive session to discuss negotiations, with no intent to return. Mr. Gokey requested an executive session to discuss personnel matters, with no intent to return. Mrs. McGrath reported she attended the County Commissioner's Breakfast, where they discussed the LERTA Ordinance. It was discussed that many townships use the County LERTA and that it would be beneficial to Amity to adopt its own LERTA.

PUBLIC COMMENT

Richard Cooper, Limekiln Road, asked if there would be tax benefit to the Township if the proposed Shirey Turkey Farm would be approved. Mr. Boland responded that the County would get a copy of the permits for building the turkey house, and the property would be reassessed as agricultural business. He also reported a tree at Amity Park and Limekiln Roads appears to be full of woodpecker holes. Staff will contact PennDOT.

Ragan Newman, 301 Applewood Drive, stated Keystone Homes saw cut into her driveway. When questioned, she admitted part of her driveway was over the property line. When the driveway was extended, she believed the contractor was over the property line. Mrs. Newman stated she saw the stakes in November and assumed they would cut away from there, but they cut more into her property than they should have by using the wrong property pin. When Mrs. Newman questioned Keystone Homes, they stated they would "seal" the driveway. Mrs. Newman said this was unacceptable. Mrs. Newman alleged Mr. Loomis and Mr. Bingaman were aware and did not contact her. Mrs. Newman claimed she called the Township and was told to contact Police. They advised her, this is a civil matter. Mr. Bingaman stated Keystone Homes notified Mr. Loomis and they stated they had contacted the Newmans. Mr. Loomis went out about 30 minutes after being notified. Upon arrival, Mr. Loomis questioned the contractor if they could be on the wrong property line. Mrs. Newman stated there are no monument pins. After lengthy discussion, the Board agreed the issue is a civil matter. Mr. Boland stated, surveying can be done at any time by a homeowner and monuments could be set. Mr. Boland stated John Weber could verify if he had inspected and released monies for the cement monuments.

EXECUTIVE SESSION and ADJOURNMENT

At 8:48PM, with no further business, Mr. Jones moved, seconded by Mr. Hackett, to adjourn to executive session to discuss negotiations and personnel matters with no intent to return. Meeting Adjourned at 8:48PM.

Respectfully submitted,

Pamela L. Kisch
Township Secretary