

**Amity Township Board of Supervisors**  
**Meeting Minutes**

June 15, 2016

Call to Order/Pledge to the Flag

Chairperson Kim McGrath called the June 15, 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 7:01PM. The following were in attendance:

**SUPERVISORS**

Kim McGrath, Chairperson  
Richard Gokey, Vice Chair  
Paul Weller  
Terry Jones  
David Hackett

**STAFF**

Troy Bingaman, Manager  
Brian Boland, Kozloff/Stoudt Attorneys  
John Weber, LTL Consultants  
Alistair Howell-Clarke, Roadmaster  
Pamela Kisch, Secretary

**ANNOUNCEMENTS**

None

**PUBLIC COMMENT (AGENDA ITEMS ONLY)**

None

**VISITORS**

***Joseph Pegnetter, Burns Engineering***, presented plans for the PennDOT Blacksmith Road Bridge Project (SR7203, Section 01B). Mr. Pegnetter stated the beams and deck would be removed and replaced. New guardrail will be installed. The proposed detour route will be SR0562 to SR0662 to Old Airport Road. Construction is set to begin in Summer 2018. Project display boards and questionnaires were left at the Township building.

***Gail Farley, Michael Baker International***, presented plans for the PennDOT Boyertown Pike Project (SR0562, Section 014B). The project detailed a full replacement of a 2-span bridge and cutting back the hill to improve sight-distance. The project is expected to last a full "construction season" beginning in Spring 2018 with completion in 2019. The proposed detour for passenger vehicles will be Old Airport Road to SR0662 and SR0073 to SR0662 for truck traffic. Mr. Jones expressed concerns that both projects will be under construction at the same time, using Old Airport Road as a detour. Mr. Weller asked if bus companies had been contacted, since construction will be done during the school year. Ms. Farley responded that the school was sent notice of the public meeting regarding the project. Jim Rendi, 7311 Boyertown Pike, said traffic and noise have increased over the years. Mr. Rendi questioned if the berm being cut back would help with sight-distance and noise. Ms. Farley stated the work to be done would make it easier to see oncoming traffic. John Hetrick, Earl Township Supervisor and Emergency Management Coordinator, asked that the Engineer arrange to meet with all local emergency services personnel three months prior to construction; to ensure everyone is prepared for the closure of the SR0562 Bridge. Run cards changes

for emergency response may need to be considered. Amity Fire Company Chief Michael Zomolsky asked if Spotts Mill at SR0562 would be re-graded. Ms. Farley stated only minor pavement work will be done. Mrs. McGrath questioned if all bridge projects required public meetings. Mr. Bingaman will contact PennDOT.

**PUBLIC HEARING** - The Public Hearing to consider adoption of Zoning and SALDO amendments began at 7:18PM. A stenographer was present for the hearing. Mr. Boland opened the public hearing and introduced exhibits into the record. Mr. Boland stated the amendments included setting requirements for all street lights dedicated within the Township to be equipped with LED type light fixtures; establish a definition for permanent sign, sign, and temporary sign to encourage development of properties; establish the date of the zoning map to be March 19, 2014; and restrict tractor trailer trucks or trailers to be parked for more than 48 (forty-eight) hours within any zoning district other than the PBOI district; and permit parking in an enclosed building, rear yard, side yard, or driveway, if behind front yard building set back lines and outside the public right-of-way. The Public Hearing was advertised on May 31, 2016 and June 7, 2016. Mr. Boland explained changes made took into consideration the recent case law based upon the Reed versus the town of Gilbert; which required signs to be treated fairly, not based upon nature of the content. Mrs. Kisch was sworn in and testified to posting the Notice of Hearing. The Planning Commission recommended adoption of the Ordinance at their May 13, 2016 meeting. Mr. Boland reviewed revisions that were made to the proposed Ordinance, based upon comments made by the Berks County Planning Commission in their letter dated May 31, 2016. Letters and full text of the proposed Ordinance were sent to the Borough of St. Lawrence, Oley Township, Earl Township, Union Township, Exeter Township, Douglass Township, the Borough of Birdsboro and the Daniel Boone School District. Mr. Boland did not receive any comments. Mr. Boland asked for Public Comment. Wes Stefanick, Director of Government Affairs for the Reading-Berks Association of Realtors recommended changing sign dimensions and asked the Board to consider a meeting so the Association's concerns could be addressed. Mr. Gokey stated the Board has been reviewing the proposed changes for almost a year now; once adopted, there will not be any changes. Mr. Gokey instructed Mr. Stefanick to address his concerns during the hearing. Mr. Stefanick questioned why page 23, Section XI restricted temporary signs from being erected within 100 feet of any intersection or public roadways. Mrs. McGrath stated the distance is 150 feet. Mr. Jones stated the requirement exists for public safety. After discussion, Mr. Boland stated the real estate sign changes were initially addressed to generate development of properties in the Township. Signs for permits are good for one year. Mr. Boland asked if there were any other questions. There being no questions, Mr. Boland asked if the BOS was ready to act upon adoption of the Ordinance. Mr. Jones moved, seconded by Mr. Hackett to adopt Ordinance 294. Motion passed, 5-0. The Public Hearing was closed at 7:42PM. Mr. Boland turned the meeting over to Mrs. McGrath.

**MINUTES**

Mr. Jones moved, seconded by Mr. Weller to approve the minutes of June 1, 2016. Motion passed 5-0.

**FINANCE**

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

\$	52,586.47	General Fund
\$	7,975.16	Fire Fund
\$	20,765.48	Sewer Fund
\$	<u>5,223.68</u>	<u>Liquid Fuels Fund</u>
\$	86,550.79	Total

Mrs. McGrath questioned a check for the purchase of a radon tester. The Manager will check with Mr. Loomis.

The Board reviewed the Overtime by Department and Treasurer Reports.

## **REPORTS**

***Fire Companies***- Assistant Chief Robert Kline stated Monarch Fire Company will hold a Chicken BBQ on Saturday, July 9th at 10:00AM in the Redner's parking lot. Amity Fire Company Chief Zomolsky reported the annual carnival raised approximately \$12,000.00; the air packs are in service; and production of the new fire truck has begun. Chief Zomolsky stated he'd like to begin reviewing and making run card changes. The Board had no objections.

***Planning Commission*** - Brian Boyer, Boyer Engineering, stated a revised plan for the ***Elliott Land Development and Annexation Plan*** was resubmitted; and, Mr. Bingaman signed off on the sewer Highway Occupancy Permit. Mr. Boyer stated the annexation is to acquire more room for raising horses. Mr. Boyer stated he has addressed all issues with the plan but needs additional time. The Planning Commission recommended the Board grant a 120-day time extension. Mr. Weller moved, seconded by Mr. Jones to authorize the 120-day time extension. Motion passed, 5-0. The extension will expire October 19, 2016.

## **UNFINISHED BUSINESS**

Mr. Gokey asked staff to follow-up with Mr. Loomis regarding the corner lot at Old Swede and Postal Roads; on the Ace Hardware side. The lot has still not been mowed.

***Mower Replacement*** - Mr. Howell-Clarke obtained quotes from Tiger and Stevenson to replace the mower. After discussion, Mr. Gokey asked if the current mower could be used for the remainder of the season. Mr. Howell-Clarke replied it could, however, cables are being replaced every other year or so, and he is recommending an upgrade now. Funds will be available from reimbursements for Winter Storm Jonas, as well as remaining money in the Liquid Fuels Fund. Mr. Gokey stated a great deal of money was spent purchasing the F550 truck and additional monies are being spent to construct a new salt shed. Mr. Gokey stated if the mower will last this year, he'd like to see this expenditure wait until 2017. Mrs. McGrath asked if there was a list of equipment and when it's set to be replaced. Mr. Howell-Clarke affirmed. Mr. Bingaman stated this would be incorporated into the budget process for all Departments.

Mr. Gokey stated police may need to patrol roads under construction to enforce moving vehicles off the street. Mr. Howell-Clarke stated he has been observing and helping notify residents. Construction should be finished by next Tuesday.

***Reaffirmation - Hiring of Alexander Jensen*** - Alexander Jensen was hired for seasonal work to assist the road crew. Mr. Howell-Clarke asked the Board to reaffirm the hiring. Mr. Jones moved, seconded by Mr. Weller to reaffirm the hiring of Alexander Jensen, at the rate of \$17.00 per hour. Motion passed, 5-0.

***Donation to St. Paul's UCC*** - Mr. Bingaman stated St. Paul's rate for using the meeting room is \$100.00 and recommended making a donation of \$100.00 for each use of their facilities for the Shirey Conditional Use Hearing. Mr. Jones moved, seconded by Mr. Weller to make a \$400.00 donation to St. Paul's UCC for use of their facilities. Motion passed, 5-0.

***Maplewood Drive and Russell Avenue Intersection Study*** - Mr. Weber reviewed three criteria can be used to determine the necessity of a multi-way stop sign; 5 or more accidents; volume of 350 per hour in any 8 hour period; and sight-distance of 335'. Data collected indicated the intersection does not meet the requirements, and therefore Mr. Weber could not recommend erecting a sign.

Mrs. McGrath stated the concerns raised by Chief Kensey regarding school buses at this intersection could be handled by enforcement of the intersection.

***Ordinance 295 - Repeal of Rental Registration*** - Mr. Bingaman stated the Ordinance was properly advertised and ready for adoption. Mr. Jones moved, seconded by Mr. Weller to adopt Ordinance 295, repealing Rental Registration requirements. Motion passed, 5-0.

### **SOLICITOR'S REPORT**

The Township received a request for an extension for the land development plan for the Monocacy Point Subdivision, owned by Ragesh and Amita Patel. Mr. Patel was granted Conditional Preliminary Plan Approval in 2007. Mr. Boland stated there was no final plan submitted, and in his opinion there was no action necessary. Mr. Boland previously sent a letter indicating the conditional preliminary plan approval will expire on July 2, 2016. There has been no zoning changes to the property, and an extension is unnecessary.

### **ENGINEER'S REPORT**

Mr. Weber stated the Planning Commission made a recommendation for the BOS to allow the American Crane Land Development Plan to be processed as an in-house review, conditioned upon the NPDES Permit and Securities and Improvements Agreements being part of the in-house review. Minutes from the January 20, 2016 Board meeting did not specifically state the condition set by the Planning Commission. The Board agreed the NPDES Permit and Securities and Improvements Agreements must be part of the in-house review, and those items should be added to the list.

### **NEW BUSINESS**

***Salt Shed Construction Project***- Mr. Weber stated seven bids were submitted through Pennbid. The lowest bidder was Agpoint from Quarryville. Bids were submitted for metal roofing with metal siding; as well as metal roofing with vinyl siding. Manufacturer warranty won't apply to metal siding because salt will be stored in the building. The Board agreed to use the bids for the metal roof with vinyl siding. Mr. Gokey stated the bid from Agpoint was substantially lower than the other bids. Mr. Weber stated he reviewed municipal references; all of which were very happy with services provided. The concrete will have an additive, which will help deter deterioration from the salt. Agpoint has a few details to work out with Mr. Boland regarding the paperwork, and Mr. Weber recommended accepting their bid. Mr. Jones moved, seconded by Mr. Weller to accept the lowest bid for the building and concrete apron by Agpoint, subject to receipt of all contracts and other documents in a form found to be acceptable by the solicitor and engineer. Motion passed, 5-0. Agpoint's total bid for the salt shed construction was \$206,061.00. Mr. Howell-Clarke stated construction will begin at the end of July when local sports teams have finished using the Wheeler fields.

***Stone Contract Extension*** - The current contract allows for a one-year extension at current contract pricing. Mr. Jones moved, seconded by Mr. Hackett to authorize extending the H&K contract for stone from August 1, 2016 to August 1, 2017. Motion passed, 5-0.

***Resolution 16-23*** - Mr. Bingaman stated the Center for Excellence in Local Government recently requested municipalities replace individuals' names with the name of their respective positions for the delegate and alternate. Mr. Jones moved, seconded Mr. Gokey to adopt Resolution 16-23, naming the Roadmaster as the delegate and Township Secretary as the alternate for the Berks County Co-Op. Motion passed, 5-0.

**EMPLOYEE/OFFICIAL REPORTS**

**MANAGER'S REPORT:**

**Tennis Court Lights-** Garry Lucas, coach for Daniel Boone School's tennis program, requested use of lights at the tennis courts when necessary. The Board agreed to allow Mr. Lucas to have a key for the lights; provided lights are used only when necessary and turned off when play ceases.

**Spigots at Hill Road** - Eric Detwiler, DBYS, requested permission to install additional water spigots at Hill Road Park. Mr. Detwiler suggested they could tap into the well at the top of the upper ball field. The water would be used to wet down ball fields, as needed. DBYS would pay for the installation of the spigots. Mr. Bingaman was unable to locate plans of the irrigation system. The Board agreed to allow DBYS to install spigots, at their expense, after Mr. Weller and Mr. Howell-Clarke visit the property to determine feasibility.

**Community Days / Blazer Days** - Curt Clifford notified the Township that Community Days will not be held this year. Meetings held through March this year failed to produce enough community involvement and volunteers to hold the event. The Blazer Foundation has decided to hold an annual Blazer Days event. The first annual Blazer Days event will run from June 29th through July 2nd at the Daniel Boone High School. Tons of Fun contacted the Blazer Foundation that they had an opening for these dates because the Immaculate Conception Church was no longer holding its Strawberry Festival.

Mr. Bingaman requested a brief executive session for discussion regarding potential litigation, with no intent to return.

**SUPERVISORS**

None

**PUBLIC COMMENT**

Richard Cooper, Limekiln Road, asked if the Supervisors were aware of comments made by Birdsboro Manager Aaron Durso claiming Amity and Union Townships are not doing enough to attract businesses and bring more tax revenue to the District. Mr. Gokey asked staff to research the breakdown of what percentage of taxes are paid by each municipality to the School. Mr. Bingaman will research and report back to the Board.

Wendy Elser, Agata Drive, questioned if the traffic light at the SR0562 and SR0662 had been changed. Mr. Bingaman responded that the loop has gone bad, and Telco has been notified. Ms. Elser stated people are running the light. It was recommended police monitor the intersection until repaired.

**ADJOURNMENT**

At 8:45PM, with no further business, Mr. Jones moved, seconded by Mr. Weller to adjourn to executive session for discussion of potential litigation, with no intent to return. Motion passed, 5-0. Meeting Adjourned at 8:45PM.

Respectfully submitted,

Pamela L. Kisch  
Township Secretary