

Amity Township Board of Supervisors
Meeting Minutes

November 2, 2016

Call to Order/Pledge to the Flag

Chairperson Kim McGrath called the November 2, 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
Paul Weller
Terry Jones
David Hackett

STAFF

Brian Boland, Kozloff/Stoudt Attorneys
Troy Bingaman, Manager
Andrew Kensey, Chief of Police
Alistair Howell-Clarke, Roadmaster
Steve Loomis, Code Enforcement Officer
Dave Wheeler, Waste Water Treatment Plant Superintendent
Pamela Kisch, Secretary

ANNOUNCEMENTS

None

PUBLIC COMMENT (AGENDA ITEMS ONLY)

None

MINUTES

Mr. Jones moved, seconded by Mr. Hackett to approve the minutes of October 19, 2016.
Motion passed, 4-0.

FINANCE

Mr. Jones made a motion, seconded by Mr. Hackett to approve the disbursements as follows:

\$	195,663.21	General Fund
\$	6,121.88	Fire Fund
\$	28,092.31	Sewer Fund
\$	<u>7,606.37</u>	EDU Fund
\$	237,483.77	Total

Motion passed, 4-0.

The Board reviewed the Overtime by Department Report.

REPORTS

Code Department– Mr. Weller asked if there had been any progress with the cleanup at 8 Riga Lane. Mr. Loomis replied that the progress has ceased and a citation has been issued. Mrs. McGrath noted the report indicated more than thirty residents have requested reservation of the radon detector.

Mr. Loomis stated the response prompted the purchase of a second radon detector. Mrs. McGrath asked if residents have provided results of their tests. Mr. Loomis stated levels seem to be slightly above the levels recommended, but the Township does not record the levels. Mr. Bingaman stated staff has been providing guidance and recommendations for lowering radon levels.

Road Department – Mr. Howell-Clarke stated the Salt Shed Project is on schedule to be completed on Friday. Mr. Howell-Clarke solicited three quotes for the parking lot paving, which were above the bid threshold and requested permission to advertise for bids. Mr. Weller moved, seconded by Mr. Hackett to authorize advertisement of the parking lot project. Motion passed, 4-0. Mr. Jones noted the Township pays \$125.38 monthly for internet service to Lake Drive Park and questioned if it's necessary. Mr. Howell-Clarke explained the internet service provides live remote access. Mrs. McGrath asked if the live access has provided a benefit thus far. Mr. Howell-Clarke replied it has not. Mr. Bingaman will research options and report back to the Board.

Waste Water Treatment Plant – Mr. Wheeler reported it should take a crew of seven workers approximately six days to remove the sludge from underneath the liner. The work will begin Friday.

UNFINISHED BUSINESS

Recreation Fees – Mr. Bingaman distributed a comparison of recreation fees. Most municipalities apply a recreation fee per dwelling unit, with one municipality applying \$115K per acre. Fees range from \$500.00 to \$2,900.00 per lot. Mr. Bingaman researched the last four real estate sales of lots in Amity Township, with a half to three-quarters of an acre and each sold for over \$70K. Mr. Jones stated those lots were already serviced by public water and sewer. Mr. Boland will research and provide the Board with ordinances from neighboring municipalities. Mr. Weller stated he'd be interested in seeing Oley Township's ordinance. Any change regarding recreation fees would require a change of the Ordinance.

SOLICITOR'S REPORT

Pete Wanner requested a release of his cash escrow for the ***Wanner Landscaping plan***. Mr. Weber provided detail of remaining municipal improvements. Mr. Boland prepared the Termination of Municipal Improvements Agreement which allows the release of the cash escrow, and would require a revised or amended plan be submitted when building or development resumes; at which time the escrow would be recalculated and posted. Mr. Boland stated if the Board chooses to sign the agreement it must be recorded. Mr. Loomis stated Permit Manager would be utilized to hold records to ensure staff takes necessary steps when development resumes. Mr. Jones moved, seconded by Mr. Weller to authorize the execution of the Termination of Municipal Improvements Agreement and release of the cash escrow in the amount of \$15,185.00. Motion passed, 4-0. Mr. Boland received a response from the attorney for the owner of ***Valley View Manufactured Home Community*** requesting assistance from the Township to ensure signs are posted properly in compliance with PA Department of Transportation regulations. When all requirements are met, the owner will submit a request for police enforcement on their property. Mr. Boland forwarded the response to the Township. The Board directed staff to move forward. Mr. Boland will prepare the necessary resolution. PAWC agreed to adopt the recommended language for the ***hydrant agreements***. Recommended language indicated the Township would indemnify PAWC only when damage occurs as a result of intentional acts or negligence while hydrants are being used by the Township; and when not prohibited by the PA Political Subdivision Tort Claims Act. Mrs. McGrath questioned if damages could occur as a result of a lack of maintenance of the hydrants. Mr. Bingaman responded that he's requested maintenance records of the hydrants within the Township. The new regional manager of PAWC for our area has agreed to meet with fire companies to provide needed information.

Mr. Boland received a request to move the hearing to November 16th at 7:00PM for the *Police Grievance*, provided the matter is not resolved in the meantime. As a result of the meeting with *Rosewood Glen*, it appeared the land was not graded to the specification of the plan. Mr. Weber will be reviewing options and provide an estimate of costs to resolve the current stormwater and erosion issues.

Mr. Boland requested a brief executive session to discuss matters pertaining to the P&H Senesac contract and potential litigation.

NEW BUSINESS

Woods Edge Winter Services Agreement – Mr. Bingaman stated the proposed agreement covers Phase 3B and 3C. Forino continues to work on the punch list of items necessary for dedication of Phase 3B; however since dedication wasn't complete in time to be eligible for Liquid Fuels the agreement requires Forino to pay costs for snow removal in both sections. Mr. Jones moved, seconded by Mr. Hackett to authorize execution of the Winter Services Agreement. Motion passed, 4-0.

2017 Budget– Mr. Bingaman stated as a result of the Budget Workshop held on October 28th, he proposed a *.5mil increase in general real estate taxes and \$10.00/per quarter sewer rate increase*. Amity Township will remain one of the lowest tax rates, when comparing other Berks municipalities who have their own police forces. Mr. Bingaman stated he'd like to clarify that Amity Township hasn't raised taxes in the past ten years; not twelve years as was printed in a local newspaper. Mr. Jones moved, seconded by Mr. Weller to authorize advertisement of the proposed 2017 budget. Mr. Jones stated it's necessary to raise taxes in order to operate the Township in an efficient manner. The rising cost of doing business and healthcare costs have been absorbed by the Township in the past. Staff and Supervisors have done the best they could to serve residents without increasing taxes in the past, but the Township can longer absorb the increases. Mr. Weller stated there are several projects planned that could not be completed without the additional funds. Mr. Bingaman stated the 2017 budget includes the addition of another full-time police officer. Mr. Jones stated the proposed increase amounts to \$50.00 on a house assessed at \$100,000.00. Richard Cooper, Limekiln Road, questioned if there was any consideration of merging police departments to save money. Mr. Boland stated there typically is no savings, other than some efficiencies. Mrs. McGrath noted that Union Township does not have their own police department and pays higher real estate taxes than Amity. Motion passed, 4-0.

Amity Crime Watch signs –Crime Watch would like to replace existing signs and place some new signs. Mr. Howell-Clarke stated they should contact PA1 Call. Mr. Weller moved, seconded by Mr. Hackett to authorize Crime Watch to work with Mr. Howell-Clarke and PA1 Call to place new signs at locations identified in Dianna Hyres email dated October 20, 2016. Motion passed, 4-0.

EMPLOYEE/OFFICIAL REPORTS

MANAGER'S REPORT:

Change Order – Atlantic Lining Company – The previous authorization for the change order to remove excess water by Atlantic Lining was for \$11,600.00. An email clarified that the change order required a crew of eight men for three days to remove and dispose of upper existing liner and removal of excess water from the liner and use of three dumpsters at a cost of \$21,191.00. Mr. Jones asked the Manager to research if JP Mascaro could bill the Township directly for the dumpsters. Mr. Jones moved, seconded by Mr. Hackett to authorize the revised change order, not to exceed \$20,000.00. Motion passed, 4-0.

Atlantic Lining Company Payment Application #1 – Mr. Bingaman received payment application #1 from Atlantic Lining Company for the Lagoon Liner Construction Contract. Mr. Jones moved, seconded by Mr. Hackett to authorize Payment Application #1 to Atlantic Lining Company in the amount of \$28,423.75. Motion passed, 4-0.

Lake Drive Pavilion Grant Amendment – Mr. Bingaman reported the amended grant would include demolition of the existing pavilion and bathrooms. A new pavilion would be ADA compliant and be built closer to the playground. The new pavilion will be large enough for nine picnic tables. ADA compliant restrooms already exist. Existing basketball courts, skate park, and tennis courts would all become ADA accessible. Cost of the amended project is \$73,200.00. The Township was notified they would be awarded \$30,000.00 toward the project. Mr. Jones moved, seconded by Mr. Hackett to authorize the Manager to submit the amended scope of the project. Motion passed, 4-0.

CHIEF OF POLICE

Chief Kensey worked with Berks Women in Crisis to speak with the Optimist Club regarding domestic violence. The Chief stated Amity Township Police Officer will begin using a **Lethality Assessment Program** in the near future. Chief Kensey requested the Board consider adoption of Directive #6, Performance Reports. Mr. Jones moved, seconded by Mr. Weller to adopt **Directive #6 Performance Reports and Performance Report form**, dated September 15, 2016 and as reviewed by the Solicitor. Motion passed, 4-0. Chief Kensey requested an executive session to discuss police personnel matters.

SUPERVISORS

None

PUBLIC COMMENT

Richard Martino, 225 W. Welsh Drive, agreed school taxes can negatively affect development. Mr. Martino asked the Supervisors to attend School Board meetings or send him an email with their feedback which he could provide to School Board members. Mr. Bingaman asked if the School Board has discussed the LERTA. Mr. Martino responded the Solicitor is reviewing the information regarding the LERTA but has not shared it with the School Board. There was discussion regarding a School Resource Officer. Chief Kensey said collaboration needs to take place on responding to an “active shooter situation”. Mr. Martino said he would discuss the possibility of a school resource officer, and possibility of helping fund the officer, with the Board at tomorrow night’s School Board meeting.

ADJOURNMENT

At 8:40PM, Mr. Jones moved, seconded by Mrs. McGrath to adjourn to executive session to discuss Police Personnel matters and potential litigation with no intent to return. Motion passed, 4-0.

Meeting Adjourned at 8:40PM.

Respectfully submitted,

Pamela L. Kisch
Township Secretary