

Amity Township Board of Supervisors
Meeting Minutes

December 21, 2016

Call to Order/Pledge to the Flag

Chairperson Kim McGrath called the December 21, 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
Dave Hackett

STAFF

Brian Boland, Kozloff/Stoudt Attorneys
John Weber, LTL Consultants
Troy Bingaman, Manager
Andrew Kensey, Chief of Police
Pamela Kisch, Secretary

ANNOUNCEMENTS

None

SWEARING IN OF FIRE POLICE

Tarah L. Sweitzer was sworn into the office of Fire Police for Amity Fire Company by Police Chief Andrew Kensey. The Chief and the Board congratulated Ms. Sweitzer.

PUBLIC COMMENT (AGENDA ITEMS ONLY)

None

MINUTES

Mr. Weller moved, seconded by Mr. Jones to approve the minutes of December 7, 2016.
Motion passed, 4-0.

FINANCE

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

\$	69,753.99	General Fund
\$	8,613.88	Fire Fund
\$	11,313.85	Sewer Fund
\$	17,787.17	Liquid Fuels Fund
\$	107,468.89	Total

Motion passed, 4-0.

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

REPORTS

Fire Companies – Amity Fire Company Chief Mike Zomolsky reported that Monarch Fire Company Assistant Chief Robert Kline had prior commitments and was unable to attend. Chief Zomolsky thanked the Board on behalf of both fire companies for the Township’s contributions and support. Mr. Jones asked what types of calls were being “dispatched and cancelled en route” on the reports. Chief Zomolsky explained it’s a deficiency of the reporting software. When a call is dispatched it’s assigned detail regarding what type of call it is. When the call is cancelled en route, the detail for what type of call it was is lost in the report; and it shows as “cancelled en route”. Mrs. McGrath thanked the fire companies for their continued service.

Planning Commission – The Planning Commission recommended the Supervisors grant a 180-day time extension for the Evolution Powersports land development plan. Mrs. McGrath asked for a status on the plan. Brian Boyer, Boyer Engineering, stated the preliminary plan is being revised and the PennDOT plan is being resubmitted. Mr. Jones moved, seconded by Mr. Hackett to grant the 180-day time extension to June 20, 2017. Motion passed, 4-0. Mrs. McGrath asked for a report on the status of the Barry Shirey Turkey Farm plan. Mr. Weber replied that outside agencies are responsible for the delay on the Shirey plan. The Township has not caused any delays. Mr. Weber explained the stormwater plan was submitted using the wrong methodology and must be revised.

UNFINISHED BUSINESS

Environmental Advisory Council (EAC) – Mr. Bingaman stated the remaining two members of the EAC have resigned. David Wentzel submitted his letter of resignation on December 13th. Heather Unger submitted her letter of resignation to their Chairperson in June 2016. Mr. Bingaman stated there have been no minutes submitted to the Township for 2016. Mr. Jones moved, seconded by Mr. Hackett to accept the resignations of David Wentzel and Heather Unger. Motion passed, 4-0. Mrs. McGrath stated the EAC could be revitalized if there would be future interest.

Fund Balance Policy and Resolution – Mr. Bingaman explained the Fund Balance Policy and recommended adopting the resolution to establish the Budget Stabilization Reserve with an original principal balance of \$800K and Capital Reserve with an original principal balance of \$775K. Mr. Bingaman explained this is an amount both he and the Treasurer were comfortable with; as this would be enough to cover two months of operating expenses. The EIT payments which were previously received quarterly are now received monthly. Mr. Jones moved, seconded by Mr. Hackett to adopt the Fund Balance Policy and Resolution 16-27 establishing a Budget Stabilization Reserve of \$800K and Capital Reserve of \$775K. Motion passed, 4-0.

Valley View Manufactured Home Community – Mr. Bingaman reported the owner is awaiting delivery and installation of signs. This matter was tabled and will be removed from the agenda until all signage is compliant.

SOLICITOR’S REPORT

Mr. Boland stated the proposed **Ordinance amendment for recreation fees** has been submitted to the Berks County Planning Commission and awaits comments. Mr. Bingaman discussed proposed changes to the **Road Opening Ordinance**. Mr. Loomis and Mr. Howell-Clarke recommended requiring restoration for cuts that exceed 25 feet in length. Mr. Bingaman reviewed neighboring municipalities, most of which require restoration if a cut exceeds 10 feet. Mr. Weber stated the current Ordinance requires the cut to exceed the dimension of the cut by one foot, cold patch be applied, with later permanent final restoration. Mr. Jones agreed the restoration needs time to settle but would like to see final restoration within 60 days; if final restoration isn’t completed in 60 days the Township could require a bond. Mr. Weber stated the current Ordinance says the contractor is

responsible for one year but the Township does not require the contractor to post security. The Board asked staff to ensure road opening permits reference the Ordinance and review the Fee Schedule for possible changes. After discussion, the Board agreed to require full lane restoration for all excavation that exceeds 10 feet; requiring temporary cold patch; permanent final restoration to be completed within 60 days; and once complete hold contractors responsible for 18-months instead of one year. Mr. Boland stated he would prepare a draft for amending the Ordinance for the Board's review.

ENGINEER'S REPORT

Mr. Weber reported that the Planning Commission accepted the *Dollar General land development plan* for SR0422 and N. Monocacy Creek Road. The plan will be revised in January and submitted to the Planning Commission. The Planning Commission approved an in-house review for *American Crane*. Stormwater plans will be submitted for the Board of Supervisors review. The ZHB *granted the requested variance* for building height at a hearing on December 19th.

NEW BUSINESS

2017 Meeting Dates – Mr. Hackett moved, seconded by Mr. Jones to authorize advertisement of the 2017 meeting dates and adopt Resolution 16-28. Motion passed, 4-0.

EMPLOYEE/OFFICIAL REPORTS

MANAGER'S REPORT:

"Salute to Service" Garden – Mr. Bingaman met with the Chief, the Roadmaster and Mr. Duffie and all agreed that the grassy area near the salt shed parking lot would be an ideal location. More information will be forthcoming. Mr. Duffie would like to hold a grand opening or dedication on November 11th, 2017.

Sewer I&I Repairs – Fast Pipe is scheduled to begin working on the I&I repairs next Tuesday. Work is expected to last for approximately one week.

Wastewater CAP – Mr. Bingaman met with Brian Boland and Mike Sassaman regarding the response letter from the PADEP and the proposed Consent Order and Agreement. Mr. Boland, Mr. Sassaman and Mr. Bingaman are in disagreement with the PADEP's interpretation of events. Mr. Boland prepared a response letter to the PADEP requesting a meeting to discuss the response and agreement.

John Coe Promotion – Mr. Bingaman stated Officer John Coe will be promoted to the position of Corporal effective December 25th, 2016 and be sworn in by Chief Kensey at the Reorganization Meeting on January 3rd, 2016.

Stand-by Pumps – Dave Wheeler obtained quotes from two companies to purchase stand-by pumps for PS2, PS3, PS5, and PS7. The pumps require modifications and are designed specifically for each of the pump stations. The lowest quote for four pumps was for \$54,030.00. After discussion, the Board gave direction to purchase one pump in December 2016; and purchase the other three pumps in 60 to 90 day increments; as prioritized by Dave Wheeler.

2017 Salaries – Mr. Bingaman asked that the Board consider adopting a resolution setting salaries for non-union positions. Mr. Jones moved, seconded by Mr. Weller to adopt Resolution 16-29. Motion passed, 4-0.

CHIEF OF POLICE

Chief Kensey presented the draft of Directive #7, the policy of utilizing the Lethality Assessment dated December 7, 2016.

Chief Kensey requested a brief executive session to discuss police personnel matters.

Mr. Boland presented an *addendum to the Township Manager's employment agreement*, changing language for "personal time off" to "paid time off" and increasing the amount of life insurance from \$50K to \$100K. Mr. Hackett moved, seconded by Mr. Weller to approve the addendum to the Township Manager's employment contract as presented. Mrs. McGrath noticed the addendum did not include the increased life insurance amount. Mr. Hackett moved to amend his motion to approve the addendum to the Township Manager's employment contract to reflect the language change to "personal time off", increase the amount of life insurance from \$50K to \$100K, and holidays taken pursuant to the Teamsters Contract. The motion was seconded by Mr. Weller. Motion passed, 4-0. Mr. Boland stated he will email the revised addendum to the Mr. Bingaman.

SUPERVISORS

Mr. Jones wished everyone a Merry Christmas. Mr. Weller asked what caused the traffic issues with American Crane earlier in the day. Mr. Bingaman stated the truck being used to transport part of the crane had mechanical issues. Mrs. McGrath stated a resident contacted her regarding the bridge into Gollubtown by the Alpaca Farm. Mrs. McGrath asked that the Roadmaster inspect the bridge to determine if the bridge needs ramping.

PUBLIC COMMENT

None

ADJOURNMENT

With no further business, at 7:54PM, Mr. Jones moved, seconded by Mr. Hackett to adjourn to executive session with no intent to return for discussion of police personnel matters. Motion passed, 4-0.

Meeting Adjourned at 7:54PM.

Respectfully submitted,

Pamela L. Kisch
Township Secretary