

Amity Township Board of Supervisors
Meeting Minutes

January 18, 2017

Call to Order/Pledge to the Flag

Chairperson Kim McGrath called the January 18, 2017 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
David Hackett, Vice Chair
Richard Gokey
Paul Weller
Terry Jones

STAFF

Joan E. London, Kozloff/Stoudt Attorneys
John Weber, LTL Consultants
Troy Bingaman, Manager
Andrew Kensey, Chief of Police
Pamela Kisch, Secretary

ANNOUNCEMENTS

Mrs. McGrath announced Penn State Extension will hold a two-hour workshop on February 2nd at the Berks County Ag. Center for residents who may be interested in serving their township or school district.

PUBLIC COMMENT (AGENDA ITEMS ONLY)

None

MINUTES

Mr. Jones moved, seconded by Mr. Hackett to approve the minutes of January 3, 2017.
Motion passed 4-0-1. Mr. Gokey abstained as he did not attend the January 3rd meeting.

FINANCE

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

\$	86,099.36	General Fund
\$	8,613.88	Fire Fund
\$	31,443.89	Sewer Fund
\$	131,868.90	EDU Fund
\$	<u>3,480.77</u>	<u>Liquid Fuels Fund</u>
\$	261,506.80	Total

Motion passed 5-0.

The Board reviewed the Overtime by Department and Treasurer's Report. Mr. Bingaman stated an additional report provided a comparison of the current year to previous year totals. The Board thanked staff for providing the additional details.

REPORTS

Fire Companies – Monarch Fire Chief Keith Gabel and Amity Fire Chief Mike Zomolsky thanked the Board for their continued support and contributions. Chief Zomolsky stated he anticipates the new fire truck to be in service sometime in February. Some equipment needs to be outfitted on the new truck, and additional training on the truck is needed. Chief Gabel reported the cashew and peanut sale was successful. Monarch will hold Chicken BBQ sales when the weather starts getting warmer. Mr. Gokey asked if either fire companies had considered making their social halls non-smoking. Chief Zomolsky said Amity had considered it, but feels while it may attract new patrons, it will discourage others. Chief Gabel stated they haven't really received complaints. Monarch has smoke-eaters which helps. Mrs. McGrath thanked the fire companies for the services they provide.

Planning Commission – Brian Boyer, Boyer Engineering, requested the Board accept the letter to withdraw the final plan for **Arbour Green Townhouse Subdivision and Land Development Plan** that was given conditional approval by the Township in 2008. Mr. Jones moved, seconded by Mr. Weller to **accept the letter to withdraw the plan**. Motion passed 5-0. Mr. Boyer requested the Board agree to approve eight waivers for the Arbour Green Preliminary Plan for 72 twins. Mr. Weber stated the waivers were part of the previously approved plan. Mr. Weber explained the new age-targeted plan would require the HOA maintain driveways and sidewalks and it restricts the area for outdoor activities which makes the development more conducive for older aged owners. Mr. Gokey asked if any of the waivers were for Recreation Fees. Mr. Boyer stated the pending change to the SALDO for Recreation Fees would not impact this plan. Mr. Weller moved, seconded by Mr. Hackett to **accept the eight waivers** as requested, and recommended by the Planning Commission, pursuant to Brian Boyer's letter dated January 12, 2017. Motion passed 5-0. Mr. Jones moved, seconded by Mr. Weller to grant **Conditional Preliminary Plan Approval** for Plan Number CS111091 dated 9/23/2016, last revised 12/28/2016, conditioned upon satisfaction of the conditions identified in the LTL letter dated January 6, 2017 and outside agency technical reviews. Chief Gabel asked how far the homes would be built from the curb. Mr. Boyer replied approximately 25 feet. Mr. Bingaman questioned if the Board needed to address putting "snouts" in the Township right-of-way (ROW). Mr. Boyer explained the stormwater flows into basins and rain gardens, requiring a barrier or "snout" which is a half dome over a pipe. Mr. Weber stated the Ordinance doesn't prohibit placement in the Township ROW. Mr. Jones stated maintenance is easier when the cleanout is in the street. Mr. Boyer stated notes would be placed on the plan and noted in the Stormwater Management Agreement regarding HOA responsibility to maintain. Mr. Gokey asked when construction will begin. Mr. Boyer responded they would like to begin in spring. The sewer was previously approved to be served by the Leaf Creek Interceptor. Mr. Gokey asked if there was sufficient capacity in the 662 Interceptor and if it would be possible to run the lines through it until Leaf Creek is ready. Motion passed 5-0. Mr. Boyer presented the **Barry Shirey Preliminary Land Development Plan** to the Board. Mr. Boyer requested the Board **grant waivers** as follows: Section 402(d)(9) to not require existing property owners to set proposed property corner markers and Section 519(i) to allow planting of Eastern Red Cedar trees as a buffer to provide effective odor management. The trees are listed as effective windbreak/buffer

trees to comply with odor management, but are not specifically identified as an approved tree in the Township Ordinance. Mr. Weller moved, seconded by Mr. Hackett to approve granting the waivers as requested. Motion passed 5-0. Mr. Jones moved, seconded by Mr. Weller to grant Conditional Preliminary Plan Approval, based upon the LTL letter dated January 6, 2017. Motion passed, 5-0. There was discussion regarding placement of fans for the turkey houses. Ms. London stated placement of the fans would be addressed and handled at the time of final plan approval.

UNFINISHED BUSINESS

ZHB Reappointment – Tom Bosler was incorrectly listed for reappointment at Reorganization. Kevin Gibbons was due for reappointment at Reorganization. Mr. Bosler was reappointed in 2016; his new term expires on December 31st, 2020. Mr. Weller moved, seconded by Mr. Hackett to reappoint Kevin Gibbons to the Zoning Hearing Board. Motion passed 5-0. Mr. Gibbons’ term will expire on December 31st, 2021.

Haas Farm Lease – Mr. Bingaman met with representatives from the newly merged Daniel Boone Athletic Association (DBAA) who explained they do not anticipate needing the fields that were set to be constructed behind 888 Old Airport Road. With the fields not being constructed, Mr. Bingaman recommended requesting bids to farm the 12-acre parcel known as the Haas Farm. Mr. Hackett moved, seconded by Mr. Gokey to authorize preparation an RFP to seek bids for a multi-year lease with an option to extend for one-year. Motions passed 5-0.

Lake Drive Park Grant – Commonwealth Financing Authority approved the amended scope of work for the Lake Drive Park Grant. Once the amendment is executed Mr. Bingaman will work with Mr. Howell-Clarke to determine what work can be done by staff and what work will need to be put out for bid. Mr. Jones moved, seconded by Mr. Hackett to authorize execution of the Amendment. Motion passed 5-0.

SOLICITOR’S REPORT

Ms. London reported all items have been addressed within the agenda.

ENGINEER’S REPORT

Mr. Weber reported all items have been addressed within the agenda.

NEW BUSINESS

Escrow Release #8, Woods Edge Phase 3C – Mr. Weber stated there are approximately nine lots remaining in Phase 3C. Mr. Jones moved, seconded by Mr. Weller to authorize Release #8 for Woods Edge Phase 3C in the amount of \$127,973.25 per the LTL letter dated January 12, 2017. Motion passed 5-0.

BCCD Memorandum of Understanding (MOU) – The BCCD, in a cooperative effort with the PADEP revised the Erosion & Sediment Control MOU as follows: BCCD will provide supporting documentation to municipalities with respect to the MS4 reporting requirements; Municipalities are required to forward any third party complaints to the BCCD relating to nutrient and sediment pollution; and Municipalities are required to assist the BCCD in providing better technical assistance services for the agricultural community and ensure compliance with State regulations and when issuing permits for an agricultural plan the Municipality must ensure the operation has a current Agricultural E&S plan and/or a Manure management Plan.

The BCCD and PADEP are requesting each municipality execute the new MOU. Mr. Weller moved, seconded by Mr. Hackett to authorize execution of the MOU. Motion passed 5-0.

Liquid Fuels, Actual Use Report– Mr. Jones moved, seconded by Mr. Gokey to authorize submission of the 2016 Liquid Fuels Actual Use Report. Motion passed, 5-0.

dotGrant Reporting – Mr. Jones moved, seconded by Mr. Hackett to grant permission to adopt Resolution 17-07 and authorize electronic submission of dotGrant reporting. Motion passed 5-0.

Street Lights, Woods Edge Phase 3C – Met-Ed has requested execution of the Authorization Supplement form to accept two LED street lights in Woods Edge Phase 3C. Met-Ed no longer requires adoption of a Resolution when accepting street lights. Mr. Gokey moved, seconded by Mr. Hackett to authorize execution of the Authorization/Supplement form. Motion passed 5-0.

Service Electric Cablevision (SECV) Negotiation/Audit – The Cohen Law Group has proposed the performance of Cable Franchise Renewal Services for the former SECV Consortium, as well as any other municipality that may have interest. The Township participated in the consortium in 2006-2007. The current agreement expires in March of 2018. A flat fee for engaging Cohen Law Group is billable based upon population and discounted by the number of participating municipalities. Amity would be billed no more than \$9,900.00. Mr. Bingaman stated there are currently five participating municipalities at this time. Dan Cohen expects to have eight municipalities participating. Mr. Jones stated, during the renegotiation he'd like to see cable and high speed internet at no charge, at all Township buildings. Mr. Bingaman agreed that would be part of the renegotiation; however, services are at most buildings with the exception of the WWTP. Ms. London stated Kozloff/Stoudt has offered services in the past, and the dollars spent for the review are often recouped; as the firms often identify additional revenues for the municipalities during the renegotiation process. Ms. London stated Cohen Law Group will participate in the Land Use seminar on March 4th at Albright College where deregulation will be discussed and could remove zoning control. Mr. Weller moved, seconded by Mr. Gokey to authorize participation in the Service Electric Cablevision Consortium. Motion passed 5-0.

Parks and Recreation Appointment – Mr. Jones moved, seconded by Mr. Gokey to accept the letter of interest and appoint Lisa Bingaman to the Parks and Recreation Board effective January 18th, 2017. Mrs. Bingaman will serve the remainder of Jerry Kupp's term, which will expire on December 31st, 2017.

EMPLOYEE/OFFICIAL REPORTS

MANAGER'S REPORT:

Sewer I&I Repairs – Fast Pipe Lining East was completing I&I repairs and increased one of the lines from four to six inches due to a new crack found in the existing pipe. They discovered one of the force mains were twelve inches in diameter instead of eight inches and encountered heavy roots. Mr. Bingaman stated he anticipates a change order for approximately \$1,000.00.

Request to Host a Dig – Joe Valentine from Delaware Valley University contacted the Manager regarding a grad student soil field trip planned for June 14th and June 15th. The group will be traveling to several locations and would like permission to dig on June 14th on Township property adjacent to the WWTP, where they've identified Gibraltar Series soils. The group will be using a backhoe to excavate a hole of not larger than five feet. The hole would be staked out and have caution tape around it. Mr. Valentine stated they have met with OSHA and will comply

with all requirements. Mr. Valentine stated they will obtain a Certificate of Insurance, and the group would also be responsible for restoration of the grounds. Mr. Gokey moved, seconded by Mr. Hackett to grant permission to Mr. Valentine's group to conduct the dig, subject to receipt of the Certificate of Insurance and agreement to restore the grounds. Motion passed 5-0.

Mr. Valentine invited the Board and the public to attend the dig and thanked the Board for their consideration.

Mr. Bingaman requested an executive session to discuss personnel matters and potential real estate acquisition, with intent to return.

CHIEF OF POLICE

Chief Kensey read a *letter from a resident of Amity Gardens* who expressed her gratitude. The resident requested the Vacation Service from the police. This resident was surprised to find out the police walked the property to ensure there were no intruders. The Chief thanked the public for being vigilant regarding the *recent burglaries*. Residents have been locking their doors, leaving lights on, not listing when they are going away on social media websites and overall being more proactive. Candidates for the *full-time Police Officer position* took the physical agility test. Sixteen of the applicants tested passed the test. The Chief plans on interviewing eight of those candidates. Chief Kensey stated the department received a check for \$958.49 for their participation in a *Buck-Up Program*. The Chief requested *permission to purchase a 2017 Ford Taurus Interceptor* to replace 26-7, a Ford Explorer with over 94K miles. He obtained two quotes. Mr. Gokey asked if this was a budgeted item. Mr. Bingaman stated this was part of the Capital Fund, which mean the expenditure needs Board approval. The Chief offered to decommission the Explorer which could be used by the Administrative staff for trainings, etc. The Chief stated he plans on listing the 2007 Crown Victoria on MuniBid. Mr. Jones asked who was doing the upfitting. Chief Kensey replied that he prefers RMI handle the upfitting. Mr. Gokey moved, seconded by Mr. Hackett to authorize purchasing a 2017 Ford Interceptor at a cost not to exceed \$35,727.00 to be paid from the Capital Fund. Mr. Weller asked if any parts could be salvaged. Chief Kensey stated any parts that could be interchanged would be salvaged. Motion passed 5-0. Mr. Jones moved, seconded by Mr. Weller to authorize *listing the 2007 Crown Victoria on MuniBid*. Motion passed 5-0. Mr. Jones moved, seconded by Mr. Weller to *authorize having the Ford Explorer painted* by the Berks Career and Technology Center in Oley. Motion passed 5-0. Chief Kensey thanked the Board for their consideration. Mr. Gokey asked if there was any progress related to the sexual assault late last year in the area of Lake Drive. The Chief replied that the case is still an active investigation. The physical evidence has been sent out for testing; which could take sixty days.

The Chief requested an executive session to discuss Police Personnel matters, with no need to return.

SUPERVISORS

Mr. Gokey attended the December 15, 2016 meeting held in Oley by DTE Energy regarding the Birdsboro Pipeline. Mr. Gokey reported there were several stations set up for information and allow attendees to ask questions. Mr. Gokey was able to speak to representatives from the companies and the Federal Permitting Agencies. Mr. Gokey stated he was given updated maps that he will bring into the Township offices. Mrs. McGrath questioned if all affected property owners have given permission. Mr. Gokey stated there has been no formal request made to the

Federal Permitting Agencies at this time. Steve Chieffo, Limekiln Road, stated he attended the Birdsboro meeting because they proposed going through a corner of his Riga Lane property. Mr. Chieffo stated they were told at the Birdsboro meeting DTE Energy is offering incentives to get approvals as soon as possible. Mr. Weber stated permits would be required if there are to be crossings at any Township roads.

PUBLIC COMMENT

None

ADJOURNMENT

At 8:32PM, Mr. Jones moved, seconded by Mr. Hackett to recess to executive session with intent to return for discussion of personnel, Police Personnel matters, and potential real estate acquisition. Motion passed 5-0.

At 9:09PM, Mrs. McGrath moved, seconded by Mr. Jones to reconvene the meeting. Motion passed 5-0.

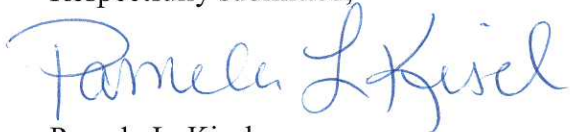
Mr. Jones moved seconded by Mr. Gokey to accept the settlement agreement for the Officer John Coe police grievance. Motion passed 5-0.

Mr. Jones moved, seconded by Mr. Gokey to ratify the 2017-2019 Teamsters Union Contract for Township Employees. Motion passed 5-0.

At 9:11PM, with no further business, Mr. Weller moved, seconded by Mr. Gokey to adjourn the meeting. Motion passed 5-0.

Meeting Adjourned at 9:11PM.

Respectfully submitted,



Pamela L. Kisch
Township Secretary