

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

February 1, 2017

Call to Order/Pledge to the Flag

Chairperson Kim McGrath called the February 1, 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**

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

**PROMOTION AND SWEARING IN**

Officer Chris High was promoted to Corporal effective February 2, 2017. Corporal High was sworn in by Chief of Police, Andrew Kensey. Corporal High's family attended the swearing in ceremony. The Board and Manager congratulated Corporal High on his promotion.

**PUBLIC HEARING AND ADOPTION OF SALDO AMENDMENT**

A stenographer was present for the hearing. Mr. Boland opened the public hearing at 7:02PM. Mr. Boland stated the hearing was being held for the purpose of considering an amendment to the Subdivision and Land Development Ordinance (SALDO) in accordance with the Amity Township SALDO and PA Municipalities Planning Code. Following the hearing, the Board of Supervisors will consider adoption of the Ordinance to amend the calculation for land dedication for nonresidential development plans; and to establish that the fee-in-lieu of land dedication is to be adopted by the Board of Supervisors by resolution. Mr. Boland introduced exhibits into the record. Mrs. Kisch was sworn in and testified to posting the Notice of Hearing and Notice of Proposed Ordinance and signing of the affidavits of the same. The proposed amendment establishes a minimum of .038 acre of land shall be offered for dedication for each residential lot for subdivisions of four or more lots or in lieu of \$75,000.00/per acre can now be set by resolution; establishes a minimum of .006 acre of land for every 1,000SF of building, structure, or improvement for Commercial and .001 acre of land for every 1,000SF of building, structure, or improvement for agricultural land development plan; with all fees to be paid at time of application of building permits or final plan approval. Mr. Boland asked if the Board had any

questions. Mrs. McGrath asked for clarification of when fees would be paid. Mr. Boland stated fees would be paid at time of final plan approval. Mr. Gokey questioned who determines if the owner pays fees-in-lieu of land. Mr. Boland replied that the Township has full discretion to request fees-in-lieu or dedication of land. Mr. Boland asked if the public had any questions. Barry Shirey, 6359 Boyertown Pike, questioned how much he would pay for his land development plan; with two 63'x700' buildings. Mr. Boland explained if the amendment were adopted, Mr. Shirey's fees would be \$6,600.00 as opposed to the \$66,000.00 under the current Ordinance. Mr. Gokey moved, seconded by Mr. Hackett to adopt Ordinance 298, amending Section 519 of the SALDO. Motion passed 5-0. Mr. Boland closed the hearing at 7:19PM.

**ANNOUNCEMENTS**

Mrs. McGrath announced James Harrison Potts, Boy Scout Troop #597, was elevated to the rank of Eagle Scout. Mr. Potts constructed and placed benches at Amity Community Park for his Eagle Scout Project. Mr. Hackett will deliver a certificate of recognition from the Board. Daniel Meyer, Boy Scout Troop #597, attended the meeting while working on his Citizenship in the Community badge. Dimitrie Meyer, Boy Scout Troop #597, attended the meeting while working on his Communications badge.

**PUBLIC COMMENT (AGENDA ITEMS ONLY)**

None

**MINUTES**

Mr. Gokey moved, seconded by Mr. Hackett to approve the minutes of January 18, 2017. Motion passed 5-0.

**FINANCE**

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

\$	104,538.95	General Fund
\$	46,598.19	Sewer Fund
\$	29,652.35	EDU Fund
\$	16,468.67	<u>Liquid Fuels Fund</u>
\$	197,258.16	Total

Motion passed 5-0.

The Board reviewed the Overtime by Department.

**REPORTS**

**Code Department** – Mr. Loomis reported there are eighteen properties that have *not complied with the SMO Ordinance*. Mr. Jones asked what the status was regarding multiple vehicles at **375 Blacksmith Road**. Mr. Loomis stated the vehicles all have license plates and he did not observe any major repairs being done outside of the garage. Mr. Loomis stated there is no violation at this time, but he will continue to monitor the property. Mr. Gokey asked if the third **radon detector** has arrived. Mr. Loomis affirmed it has arrived and stated residents are appreciative for the opportunity to use the testing units. Mr. Hackett asked what type of results have been reported. Mr. Loomis reported that readings are slightly higher than the recommended level; with no readings being reported above twenty.

**Road Department** – Mr. Howell-Clarke reported the old pavilion at Lake Drive Park has been torn down. Mr. Jones questioned why the water bill is so high at Amity Community Park if the pavilion has been winterized. There was discussion if there could possibly be a second meter inside the school. Mr. Howell-Clarke stated he will check with our new contact at PA American Water Company and report back to the Board. Mr. Howell-Clarke presented the Board with his recommendation for 2017 road projects; Glenwood Drive from Russell Drive to Poplar Drive and Aspen Court; Willowood Drive from Birchwood Court to Poplar Drive and Willowood Court; and Birchwood Court from Glenwood Drive at a total estimated cost of \$225,733.90, which is lower than the budgeted amount of \$250K. Mr. Jones moved, seconded by Mr. Weller to **authorize advertisement of the 2017 Road Projects**. Mrs. McGrath asked if the public had any questions or comments. With no questions, motion passed 5-0. Mr. Howell-Clarke presented a quote to replace Truck #66 which is fifteen years old and has approximately 133K miles. Mr. Jones moved to **authorize listing Truck #66 on MunicBid** with a \$4K reserve and **purchase of the 2017 Ford F-250 truck** at total cost not to exceed \$35,470.00. Mr. Weller seconded the motion. Mrs. McGrath asked if the public had any questions or comments. With no questions, motion passed 5-0.

**Waste Water Treatment Plant (WWTP)** – The Board reviewed the WWTP report and had no questions.

### **UNFINISHED BUSINESS**

**Haas Farm Lease** – Mr. Weller moved, seconded by Mr. Hackett to accept the bid of \$1,430.00/per year from Andrew Richards for the lease of the 12-acre parcel along Old Airport Road known as the Haas Farm. Motion passed 5-0. The lease expires December 31<sup>st</sup>, 2019 with the option of a one-year extension if mutually agreeable by the Township and Mr. Richards.

### **SOLICITOR'S REPORT**

Mr. Boland reported he's been unable to schedule a **meeting with the PADEP** to discuss their latest response regarding the CAPs because the PADEP's counsel has been ill for two weeks. Mr. Boland worked with Mike Sassaman and the Manager to prepare a response to **P&H Senesac's complaint**. Mr. Jones moved, seconded by Mr. Weller to authorize and ratify Kozloff/Stoudt's appearance, file the answer and new matter and authorize the Chairperson to execute the verification. Motion passed 5-0.

### **NEW BUSINESS**

**Request to Extend Sewer** – Jeff Povilaitis, Edwards Landscaping, requested the Board consider extending the sewer line for the Monocacy Creek Interceptor to allow him to connect the Graham properties on Monocacy Hill Road, one of which has a failing on-lot system. Mr. Jones stated the applicant would need to have the extension engineered and submit an application to the Township to connect to the public sewer system. Mr. Gokey stated there are EDU's available, however the engineer should submit plans to the Township. Mr. Povilaitis questioned who would pay for the extension of the public sewer line. The Board was in agreement the Township would not pay to extend the sewer line; costs would be the responsibility of the property owner requesting the connection. Mr. Jones stated the Township may not have a ROW on Monocacy Hill Road. The Manager advised Mr. Povilaitis the specifications for submitting the request can be found on the Township website.

**2016 Survey of Financial Condition** – The Manager stated the report was prepared and is ready for submission to the DCED. Mr. Jones moved, seconded by Mr. Hackett to authorize execution and submission of the 2016 Survey of Financial Conditions Report to the DCED. Motion passed 5-0.

## **EMPLOYEE/OFFICIAL REPORTS**

### **MANAGER'S REPORT:**

**DBAA Agreement** – Mr. Bingaman asked the Board to review the draft of the Daniel Boone Athletic Association (DBAA) Agreement and provide any comments or concerns. The new agreement was drafted as a result of Daniel Boone Coaches Association (DBCA) and Daniel Boone Youth Sports (DBYS) merging to become DBAA. The new agreement is a mirror image of the previous agreements with DBCA and DBYS, with the exception of the amount of infield mix provided by the Township. Instead of providing “up to eight loads of infield mix”, the new agreement states the Township shall provide infield mix and/or field conditioner to maintain playing condition of Township fields, with an “up to” dollar amount that is equivalent to what’s been provided in the current agreements, along with a CPI escalator. Mr. Bingaman stated if the Board has no issues with the agreement it will be forwarded to DBAA for consideration.

**BSE Baseball Request** – Ben Marchese of BSE Baseball submitted an email requesting use of Amity Community Park fields at a reduced rate of \$250.00/per field, per day. Any consideration to charge less than what was established by the Fee Schedule would require Board approval. Mr. Jones requested the matter be discussed in executive session due to potential litigation.

**Resolution 17-08** – The owner of Valley View Manufactured Home Community installed traffic and street signs on their property and had them inspected by Mr. Howell-Clarke to ensure compliance with PennDOT regulations. The owner made a request to have Amity Township Police enforce all traffic and vehicle codes. Mr. Gokey moved, seconded by Mr. Hackett to adopt Resolution 17-08 authorizing Amity Township Police to provide **police enforcement within Valley View Manufactured Home Community**. Mrs. McGrath asked if the public had any questions or comments. With no questions or comments, motion passed 5-0.

**Recycling** – A representative from JP Mascaro contacted the Manager requesting the Township consider changing recycling collection to Wednesday, rather than Friday. Mr. Bingaman stated the change could be beneficial to residents. If a resident reports their recycling wasn’t collected on Wednesday, it would give JP Mascaro more time to collect prior to the weekend. JP Mascaro would send a mailer to all residential locations advising of the change and has reportedly done this in other areas with success. Mrs. McGrath stated she would like to tour the new facility. Mr. Bingaman stated he will coordinate the tour. Mr. Weller moved, seconded by Mr. Gokey to authorize **changing the recycling collection day from Friday to Wednesday effective March 1<sup>st</sup>, 2017**. Motion passed 5-0.

**DTE Energy Pipeline** – Nancy Coates, Cameron Drive, submitted a request to have the Board submit a letter supporting an **extension for the DTE Pipeline** comment period. Mrs. McGrath stated the Township has been contacted multiple times regarding progress of this project and did not feel comfortable with submitting a request to delay the progress. The Board was in agreement to decline the request to submit a letter.

**CHIEF OF POLICE**

Mr. Jones asked about the *threat made against a police officer*. Chief Kensey stated the threat was made by a suicidal person. Every possible precaution was taken, and the perpetrator was sent to Reading Hospital for further evaluation. Mr. Weller asked how the *police interviews* went. Chief Kensey reported eight applicants were interviewed. The applicants had a variety of police, military and life experience. A conditional letter of employment will be sent pending successful background checks. The Chief distributed a copy of the *2016 Annual Police Report* and thanked the Board for their support.

**SUPERVISORS**

None

**PUBLIC COMMENT**

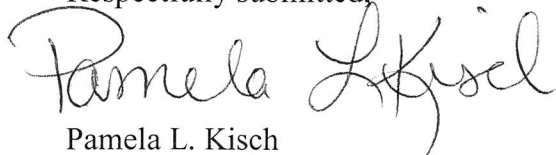
Julie Hauck, Balsam Drive, stated she would like to know when the Township will be repaving her street. Ms. Hauck stated curb cutouts are not ADA compliant and are unsafe; adding similar conditions exist on Linden Place and Maplewood Drive. Mr. Jones stated the curbs were placed before current ADA regulations and would have been compliant to the then current regulations. Mrs. Hauck said she has lived on Balsam Drive for eighteen years and it's not been repaved. Mrs. McGrath asked Mr. Howell-Clarke if the roads have been evaluated for repaving. Mr. Howell-Clarke agreed the roads need to be redone and need to be brought up to grade, but were not listed as a priority. Mr. Howell-Clarke agreed to review whether *repaving of Balsam Drive, Linden Place, and Maplewood Drive* could be moved up on the list or possibly added to 2018 road projects. Richard Cooper, Limekiln Road, questioned if the 12-acre (*Haas Farm*) could be sold rather than leased for farming if the baseball fields are no longer needed. Mrs. McGrath said she was not certain but thought the property was acquired as open space which would restrict what could be done with the land. Mr. Cooper asked if there was any update to when PennDOT would be paving Limekiln Road. Mr. Bingaman will contact PennDOT for an update on the project. Mrs. McGrath questioned what work is being done at SR0422 and Limekiln Road. Mr. Howell-Clarke stated a gas line was being repaired.

**ADJOURNMENT**

At 8:17PM, Mr. Jones moved, seconded by Mr. Hackett to adjourn to executive session with no intent to return for discussion of potential litigation. Motion passed 5-0.

Meeting adjourned at 8:17PM.

Respectfully submitted,



Pamela L. Kisch  
Township Secretary

