

**Amity Township Board of Supervisors  
Meeting Minutes**

**June 7, 2017**

Call to Order/Pledge to the Flag

Chairperson Kim McGrath called the June 7, 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  
Terry Jones  
Paul Weller  
Kevin Keifrider

**STAFF**

Brian Boland, Kozloff/Stoudt Attorneys  
Troy Bingaman, Township Manager  
Andrew Kensey, Chief of Police  
Steve Loomis, Building Codes Official  
Alistair Howell-Clarke, Roadmaster  
Pamela Kisch, Township Secretary

**ANNOUNCEMENTS**

None

**PUBLIC COMMENT (AGENDA ITEMS ONLY)**

None

**SWEARING IN – POLICE OFFICER TROY NICHOLSON**

Troy Nicholson was sworn in as a Part-Time Police Officer by Chief Andrew J. Kensey. Officer Nicholson's family was in attendance for the swearing in.

**PUBLIC HEARING**

Mr. Boland opened the Public Hearing at 7:03PM for consideration of a proposed ordinance to *vacate a certain portion of the right-of-way of North Monocacy Creek Road right-of-way*, known as Township Route T727, in the proximity from the lands of Hope United Methodist Church of Douglassville, known as 117 North Monocacy Creek Road, with a Property ID of 24535411760082 to Benjamin Franklin Highway, SR0422 which was initially dedicated to the Township for purposes of construction of roads and remains unused. The purpose of the meeting was to consider vacating this portion of the public road, containing an area of 7,401 square feet of land, in accordance with Section 2305 of the Second Class Township Code. Consideration will be given to turning back this portion of land to the adjoining land owner which would put the land back on the tax roll and release the Township of responsibilities for maintenance of the same. Such proposed ordinance may be considered for adoption by the Board. Mr. Boland introduced exhibits into the record. The Notice of Public Hearing was duly advertised on May 19, 2017 and May 26, 2017. Mrs. Kisch was sworn in

and testified having posted the same. The Notice of Ordinance was duly advertised on May 26, 2017. Mrs. Kisch testified having posted the same. Mr. Boland asked for questions from the Board. Hearing none, Mr. Boland asked for questions from the public. Hearing none, Mr. Boland closed the public meeting at 7:08PM.

**ORDINANCE #299**

Mr. Weller moved, seconded by Mr. Jones to adopt *Ordinance #299, vacating a certain portion of North Monocacy Creek Road* in accordance with Second Class Township Code. Motion passed 4-0. Mr. Boland will mail the Ordinance to the court. After the thirty-day period, with no objections the matter will be finalized and agreements will be sent to Hope UMC and Merritts for execution.

**MINUTES**

Mr. Jones moved, seconded by Mr. Weller to approve the minutes of May 17, 2017. Motion passed 4-0.

**FINANCE**

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

\$	155,322.84	General Fund
\$	52,150.22	Sewer Fund
\$	5,647.70	EDU Fund
\$	37,500.00	Capital Fund
\$	<u>591.87</u>	<u>Liquid Fuels Fund</u>
\$	251,212.63	Total

Motion passed 4-0.

The Board reviewed the Overtime by Department Report and had no questions.

**REPORTS**

**Code Department** – Mr. Weller questioned how many owners were still not compliant from the 2016 *SMO inspections*. Mr. Loomis stated two property owners remain non-compliant. Mrs. McGrath stated there has been increased traffic above Riga Lane and asked if work has begun at the property used for *motorcross*. Mr. Loomis stated he was unaware, but would make the engineer aware.

**Road Department** – Mr. Howell-Clarke reported the project for the *Weavertown Road Bridge* is ahead of schedule and the engineer hopes to have the bridge re-opened the week of June 19<sup>th</sup>. Mr. Howell-Clarke requested an *executive session* to discuss personnel matters.

**UNFINISHED BUSINESS** –

Brian Boyer, Boyer Engineering, stated Mr. Weber reviewed and approved the *revised final plans for American Crane*. Mr. Boyer stated the Planning Commission met on May 17<sup>th</sup> and recommended the BOS approve the preliminary final plan. Mr. Jones moved, seconded by Mr. Weller to *approve the waiver requested* to allow submission of the preliminary/final plan. Motion passed, 4-0. Mr. Boland stated \$17,730.00 for recreation fees, \$1,799.04 for traffic impact fees and \$2,500.00 for stormwater and BMP fees must be paid prior to final plan approval. Mr. Jones moved, seconded by Mr. Weller to *approve the preliminary/final plan for American Crane* conditioned upon satisfaction of all items identified in LTL’s letter dated June 2, 2017 including payment of all fees, and execution of the Municipal Improvements, Stormwater, and Financial Securities Agreements. Motion passed, 4-0.

The Board reviewed the draft for *ordinance amendments relative to parking of motor vehicles, sewer bill penalties, and street restorations*. Mr. Jones moved, seconded by Mr. Keifrider to grant permission to advertise for adoption of the ordinance. Motion passed, 4-0.

### **SOLICITOR'S REPORT**

Mr. Boland attended the *Dixon hearing* on June 5<sup>th</sup>. Mr. Dixon was present at the meeting but stated he did not receive a copy of the request for dismissal. The judge will take the facts into consideration and render a decision. If the dismissal is granted, the Township would win the case and Mr. Dixon would be required to comply with all SMO regulations per the Ordinance. The case would be placed at the Court of Common Pleas should Mr. Dixon decide to appeal the decision. Mrs. McGrath asked what timeframe the judge would render a decision. Mr. Boland stated a timeframe was not given. The resolution and conclusion for the *Montague easement* were sent via US Mail to Mr. Boland on June 6<sup>th</sup>. Mr. Boland expects to have all documents executed next week. *A meeting is scheduled for Monday, June 26<sup>th</sup> with the PADEP* in Harrisburg to discuss reasons Amity Township doesn't need the proposed Consent Order and Agreement. Mr. Bingaman will ensure Senator Rafferty's office is aware of the meeting.

### **NEW BUSINESS**

None

### **EMPLOYEE/OFFICIAL REPORTS**

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

*Street Light Request* – Mr. Higgins, 117 Russell Avenue, requested an additional street light along Russell Avenue as a result of six incidents when his truck was hit. Mr. Bingaman confirmed with the Chief that three incidents were reported. Mr. Weller confirmed it is a long stretch of road without lighting. The Ordinance requires lights be installed at intersections, however this area was developed without installation of that lighting. Mr. Higgins' property is not located at an intersection. H.R. Boone estimated the cost to install and activate the light at \$5K. There is a Met-Ed transformer across from the Higgins property. Mr. Howell-Clarke stated the Township can't dig until they receive a cut-card from Met-Ed, and they haven't returned his call. The Board agreed lighting should be installed at intersections only. Mr. Bingaman will research and report back to the Board. Mr. Jones stated the Board would keep the request under advisement. Mrs. McGrath reported the light at Timberline Drive is out. Mr. Howell-Clarke stated that outage was previously reported to Met-Ed.

*2017 NE Pedology Field Trip* – At a meeting in January the Board granted permission for an instructor from Delaware Valley University to conduct a soil dig on Township property adjacent to the WWTP. The dig is scheduled for June 14<sup>th</sup>. Mr. Bingaman provided the instructor with parameters for insurance requirements, as provided by Rich Hart. Anyone interested in attending the dig may do so on that date.

*Lake Drive Park Improvements Project* – The road crew will begin on-site preparation of the property at Lake Drive on Monday, June 19<sup>th</sup>.

*Street Sign Request at Pine Lane* – Garry Walker, 28 Pine Road, had requested a driveway ahead sign. The Board asked Mr. Howell-Clarke to contact the homeowner and determine if any obstruction was being caused by foliage in the right-of-way. Mr. Howell-Clarke informed Mr. Walker the trees and bushes obstructing the view of the driveway were largely on his property and should be trimmed. Foliage was previously cleared from the Township right-of-way.

The Board agreed clearing of the obstruction may help clear up the issue without installation of a sign.

***PennDOT Project for Main Street Bridge*** – Gannett Fleming contacted the Manager to make him aware the closure of the Main Street bridge will be postponed until at least October, due to delays in obtaining necessary permits.

***Basketball Court Lights*** – Mr. Bingaman had two requests to allow use of basketball court lights. Mr. Weller asked if the lights had a timer. Mr. Howell-Clarke stated they do, however, the timer controls both the lights for the basketball and tennis court lights. The coin operated mechanisms haven't worked for a few years. Mr. Bingaman stated the school was looking into different types of boxes to control the lights, however after speaking to Casey Blankenbiller the school will most likely not be purchasing new mechanisms or running electric due to budgetary constraints. The License Agreement does not specifically require the school to provide that maintenance. Mr. Weller asked if timers could be placed on the main box. Mr. Howell-Clarke stated that was done approximately 3 to 4 years ago, and neighbors complained the lights shined into their homes. Mr. Weller stated he will look to see if the existing mechanism can be fixed or replaced. Mr. Bingaman stated the request was made to use the basketball court lights on Tuesday and Thursday evenings from 8:30-10:00. The Board gave direction that staff should provide a key to one responsible member of the team, provide instructions on use, and advise the lights are to be used on those days and only when the courts are in play. The key could be used while staff researches alternatives.

**CHIEF OF POLICE:**

Chief Kensey stated the Police received a tip indicating a juvenile had been involved in a rash of ***thefts from automobiles***. Since that tip was received, no additional incidents have been reported. Corporal Chris High will be attending BCERT training. Chief Kensey will be attending training during the week of June 12<sup>th</sup>.

**SUPERVISORS**

None

**PUBLIC COMMENT**

None

**ADJOURNMENT**

At 8:00PM, with no further business, Mr. Jones moved, seconded by Mr. Keifrider to adjourn to executive session to discuss personnel matters, with no intent to return. Motion passed 4-0.

Meeting adjourned at 8:00PM.

Respectfully submitted,

Pamela L. Kisch  
Township Secretary