

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

April 7, 2021

**Call to Order/Pledge to the Flag**

The April 7, 2021 joint workshop meeting of the Board of Supervisors and Planning Commission was held in the LGI Room at Daniel Boone High School, 1845 Weavertown Road, Douglassville, Pennsylvania and was called to order at 7:00PM by Chairperson Kim McGrath, followed by the pledge to the flag. The following were in attendance:

**SUPERVISORS / PLANNING COMMISSION MEMBERS**

Kim McGrath, Board of Supervisors Chairperson  
Paul Weller, Supervisor and Planning Commission Chair  
Terry Jones, Supervisor and Planning Commission  
Kevin Keifrider, Supervisor  
Julie Marburger, Planning Commission Vice Chair (arrived 7:18pm)

**STAFF**

Troy Bingaman, Township Manager  
Brian F. Boland, Kozloff/Stoudt Attorneys  
Patrick Moore, Public Works Maintenance Superintendent  
Steve Loomis, Director of Codes and Life Safety  
Pamela Kisch, Township Secretary

**PUBLIC COMMENT (AGENDA ITEMS ONLY)**

None

**DISCUSSION**

***Manor Communities Proposed Apartments along Tollgate Road*** – Benjamin Field stated his employer, Field Development, LLC is a family-owned, family-operated business that wanted to meet with the Township to propose development of the 21.23-acre parcel on Township Line Road. The proposal includes a mixture of 1-bedroom, 2-bedroom and 3-bedroom apartments, targeted to appeal to newly graduated millennials and adults looking to downsize but still seek an active lifestyle. The parcel lacks adequate commercial frontage along Tollgate Road with only one potential shared entrance, located between two residences. Most of the parcel is hidden behind five residential properties. The steep grade of the land on the eastern acreage along Tollgate road provides no room for a second access driveway. The overall characteristic of the area is residential, with proposed residential development at the south-side of Tollgate Road and SR662. Commercial use would create heavy truck traffic leaving the narrow road with extensive wear and tear and disturbing the quiet and safe enjoyment of existing residences. Gregg Bogia, Bogia Engineering, reviewed previously submitted concept plans and the new concept plan for (12) 8-unit buildings, Community Center, Dog Park, swimming pool and playground. Building size, parking spaces, amenities, staffing at the complex and types of building facades were discussed. Buildings would be a mixture of 1, 2 and 3-bedroom units. Mr. Field stated approximately 42% of the units would be 1-bedroom and approximately 42% would be 2-bedroom, leaving the remainder to be 3-bedroom. The units would be mixed to meet parking distributions. Mrs. McGrath asked if school aged children could be living there and if so, where would bus stops be located. Mr. Field stated children could potentially live

there, although they have not found this to be attractive to young families. Mr. Field stated bus stop locations could be negotiated to be inside the development if the Township felt it was unsafe for them to be located along Tollgate Road. Mr. Boland asked if they were looking to re-zone or if they were looking for variances and to determine why the proposed plan can't comply with the MDR. Mr. Boland advised Board and Planning Commission members to look at that area as a whole to determine what impact the development would have on adjoining/neighborhood properties. Mr. Bogia stated the new concept is close to requirements of the MDR but not quite compliant. Mr. Bogia asked for permission to work with Township staff to make changes and return to present a revised concept plan that would be compliant with the MDR. Board and Planning Commission members had no objection.

***Amity Self Storage 2002 Expansion Plan*** – Dave Fisher stated his 2002 plan received Planning Commission and Board of Supervisors approval in 2002 but was never recorded at the County. Mr. Fisher had a set of unsigned plans that could be presented for re-approval if the Township agreed. Mr. Boland stated all Financial Securities and Municipal Improvements Agreements were to be executed and the deed for Eastern Nurseries and Amity Self Storage were to be combined and recorded with the final approved plan in 2002. When all conditions of the plan were met, unfortunately the plan was not recorded. Mr. Boland explained a plan is to be recorded within 90-days of plan approval. Typically, when a plan is not recorded in 90-days the plan must be reaffirmed. Mr. Boland stated if the Township agreed, the Planning Commission could re-approve the plan at the April 14<sup>th</sup> meeting and the Board of Supervisors could re-approve the plan at the April 21<sup>st</sup> meeting. The plan could then be recorded at the County. Mr. Boland stated John Weber should review the plan prior to re-approval to ensure the plan is identical to the plan approved in 2002.

***Business Registration/Change of Use Ordinance Amendment*** – Mr. Boland stated the red-lined version cleans up definitions to match other parts of the Ordinance and addresses concerns that staff isn't made aware when a business closes or opens in the Township. The intent of the amendment was to address registration, not necessarily inspections. Mr. Loomis stated he is able to enforce the IPMC for certain types of inspections such as ingress/egress, lighting and fire suppression. Owners would initially be notified of the registration/change of use requirement. Tenants would be required to register with the Township and provide email information. There was discussion on what types of inspections would be required, possibly adding sump pump inspections to help with I&I, whether inspections would be for business properties only or if residences should be included, who would perform the inspections and what fees would be charged. Following discussion, Mr. Boland stated he would re-visit with staff for a specific list of what inspections would be required and would be providing an update including all recommendations made during the workshop meeting.

***Garage Sales Ordinance Amendment*** – Mr. Boland stated the purpose of the amendment was to prohibit yard/garage sales from being held for an extended period of time. Yard/Garage sales would require permitting. The first permit would be at no charge. Establishing a set number of items would set parameter as to when a permit would be required. Mr. Boland stated the number 10 was a starting point. After extensive discussion about limiting the number of items, everyone was in agreement that the number of items before requiring a permit should be changed to 3. It was discussed that if someone doesn't obtain a permit, what enforcement could be done. Mr. Boland stated he would revise the draft to incorporate the recommendations and prepare the amendment with the changes for the rear and side yard fences to be adopted at the same time.

***Per Capita Process*** – Daniel Boone School District modified how they collect the Per Capita Tax. Mr. Bingaman stated the change will result in 16% of the revenue collected being used to pay for collection services. The Manager at Birdsboro spoke with representatives from Berkheimer and collection costs would be similar. Birdsboro plans to recommend repealing the Per Capita Tax in

2022. The School District could raise their Per Capita Tax if Amity Township chose to repeal their portion of the Per Capita Tax. Mr. Bingaman stated the taxpayer could still pay the same and the Township would take a further loss; and, he does not recommend Amity follow suit by repealing the tax.

***American Rescue Plan*** – Mr. Bingaman stated Amity Township will be receiving a \$1.3M share of the Federal \$19.5B American Rescue Plan. The Township will receive half the funds in June 2021 and the other half in June 2022. Mr. Bingaman stated there are very limited uses such as assistance to households and small businesses, providing employees with hazard pay, replacing lost revenue in 2020 and 2021 from EIT and necessary investments in water, sewer and broadband infrastructure. Mr. Bingaman stated the Township could utilize funds for WWTP project expenses. Western Berks EMS submitted a request for help as they face a deficit in revenues. Mr. Weller stated he has not received any mailers from Western Berks EMS. Mr. Bingaman stated he has provided the list from Permit Manager.

***Digital Newsletter*** – Newsletters are currently printed and mailed 3 times per year, at no charge to taxpayers, other than staff's time dedicated to writing articles, cropping pictures and proofreading. Mrs. Kisch stated she spends 2 to 3 weeks working on a text file that must be sent 10 weeks ahead of the mailing date and another 1 to 2 weeks working with Hometowns Press on proofreading and changing the layout. Mrs. Kisch stated many organizations don't have events confirmed before the 10-week deadline. Newsletters are sent EDDM postal mail routes, meaning non-residents in neighboring townships also receive Amity's newsletter. Sending newsletters digitally could be sent more frequently, delivering news sooner, reducing redundancy and typos by providing links to articles that have already been put out on websites and Facebook while saving staff time that could be better utilized. The cost of printing and mailing the newsletters are solely funded by local and major businesses who pay to advertise in the newsletter. Mrs. Kisch stated the biggest obstacles will be building the audience that will receive the news, residents who may not be ready for a digital newsletter and ensuring the change doesn't affect local businesses who've purchased advertising for future articles. The Board had no objections to looking further into options. Mr. Keifrider offered to provide assistance in exploring options available to provide newsletters digitally.

***Sewer Connection Request, 451 Hill Road*** – Mr. Bingaman stated the line could be run through the front of the property but would require maintenance easements from two property owners. Mr. Bingaman stated the owner would need to request the connection at the Board of Supervisors meeting. Mr. Loomis stated the connection would require a grinder pump and would cause minimal disturbance. There may be existing stormwater easements for those properties if the easements could be utilized to run the line. Mr. Boland stated the line can be run between the properties with permission. Mr. Boland stated he would prepare the easement which would need to be executed and recorded. Mr. Loomis stated the property owner prefers to run the line within a 10' easement, which would require permission from just one neighboring property owner.

### **OLD BUSINESS**

***Japanese Lantern Request*** – Mr. Bingaman was notified by the parents who requested to release the Japanese Lanterns that the school didn't object to the release but would not allow them to utilize school property for the event.

***Sewer Penalty*** – Dina Chirinos paid her bill on Account 81729.01 on February 1<sup>st</sup>, after the penalty was assessed. Ms. Chirinos requested the Township waive the sewer penalty charge. As previously directed by the Board, Mr. Bingaman stated he reviewed the account, found there were multiple penalties applied over the past three years and denied the request. The Board supported the Manager's decision.

***PA American Water Company Shut-Off Agreement*** – Mr. Bingaman stated the amended agreement will be presented for adoption on April 21<sup>st</sup>.

***RACP Grant Submission*** – Mr. Bingaman reported support letters from Senator Muth and State Representative David Maloney were submitted with the grant application on March 26<sup>th</sup>.

***Monocacy Hill Road Bridge Deck*** – LTL completed the inspection of the Monocacy Hill Road Bridge deck. Mr. Bingaman stated the project will be on the April 21<sup>st</sup> agenda for the Board to authorize preparation and advertisement of bid specifications. Mr. Moore stated the bridge has been deteriorating the past 40 years. John Wentzel at LTL estimated \$150-200K if the Jersey walls didn't need replaced. The deck needs replaced, but there are no needed beam repairs necessary. Mr. Moore stated prices have increased since the initial estimate of \$200-250K. Mr. Bingaman stated the project has been discussed several times in the past and funds were included in the Capital Fund.

***Playground Program*** – Mr. Bingaman stated t the Reading/Berks YMCA will run the 2021 program. Daniel Boone School District has authorized use of the Middle School for inclement weather days.

**ADDITIONAL PLANNING COMMISSION ITEMS**

None

**ADDITIONAL SUPERVISOR ITEMS**

None

**PUBLIC COMMENT**

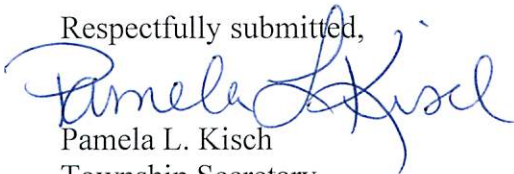
None

**EXECUTIVE SESSION AND ADJOURNMENT**

With no further business, at 9:47PM, Mr. Jones moved, seconded by Mr. Weller to adjourn the meeting.

Meeting adjourned at 9:47PM.

Respectfully submitted,



Pamela L. Kisch  
Township Secretary