

# Amity Township Board of Supervisors

## Special Meeting Minutes

November 29, 2023

### Call to Order

The November 29, 2023, Special Meeting of the Board of Supervisors held at the Township Municipal Building, 2004 Weavertown Road, Douglassville, Berks County, Pennsylvania, was called to order at 6:00PM, by Chairperson Kim McGrath. The following were in attendance:

### SUPERVISORS

Kim McGrath, Chairperson  
Dave Hackett, Vice Chair  
Paul Weller  
Terry Jones  
Kevin Keifrider

### STAFF

Troy Bingaman, Manager  
Brian F. Boland, Kozloff/Stoudt Attorneys  
John Weber, LTL Consultants  
Pamela Kisch, Township Secretary

### ANNOUNCEMENTS

Mrs. McGrath announced the *Agenda was being amended* to add the following under New Business: Payment Applications for Dutchman Contracting, LLC and approval for emergency repair of the Press Pump at the Waste Water Treatment Plant. Mr. Jones moved, seconded by Mr. Weller to approve the Amended Agenda as presented. Motion passed 5-0.

### PUBLIC COMMENT (AGENDA ITEMS ONLY)

None

### FINANCE

Mr. Weller moved, seconded by Mr. Keifrider to approve the *November 29<sup>th</sup> disbursements*, as follows:

\$ 770.00	Winter Wonderland
\$ 550.00	Capital Fund
\$ 252,659.25	EDU / Capital Fund
\$ 9.53	Fire Fund
\$ 22,208.27	General Fund
\$ 2.59	Recreation Fund
\$ 20,692.55	Sewer Fund
\$ 296,892.19	Total

Motion passed 5-0.

### OLD BUSINESS

*Tax Increment Financing (TIF) District Ordinance* – Mr. Boland reported the adoption of the TIF Ordinance and the *Conditional Use Hearing for JC Investment Group, LLC* failed to be advertised as required. Mr. Boland recommended holding a Special Meeting on December 11<sup>th</sup>, 12<sup>th</sup> or 13<sup>th</sup>. Mr. Boland spoke to Attorney Troisi, counsel for JC Investment Group, who would prefer the hearing be scheduled for

Amity Township Board of Supervisors Special Meeting, November 29, 2023  
And Conditional Use Public Hearing for JC Investment Group, LLC

December 12<sup>th</sup> or 13<sup>th</sup>. Mr. Keifrider asked whether rescheduling the adoption of the TIF Ordinance would affect the School District. Mr. Boland stated School Districts must reorganize the first week of December. The District initially scheduled their adoption for December 4<sup>th</sup> at their Reorganization meeting. A recent court decision requires the counting of undated votes, meaning Board members can't be sworn in until December 7<sup>th</sup> when the County certifies the election results. The District has scheduled adoption for December 18<sup>th</sup>, which would be after the Township has already adopted the Ordinance establishing the TIF District. Mr. Jones moved, seconded by Mr. Weller to authorize the advertisement of a ***Special Meeting to be held Tuesday, December 12<sup>th</sup> at 6:00PM*** to adopt the TIF District Ordinance and any other business that comes before the Board, and the ***Public Hearing to be held on Tuesday, December 12<sup>th</sup> at 6:15PM to consider the Conditional Use of JC Investment Group, LLC*** for the relocation of the landscaping business. Motion passed 5-0. Mr. Boland stated his office will pay for the advertisements.

***1997 Case Rubber Tire Loader*** – Mr. Bingaman stated the new loader will be delivered tomorrow and requested permission to accept the highest bid of \$37,350.00 for the 1997 Case Rubber Tire Loader. Mr. Jones moved, seconded by Mr. Weller to accept the bid as presented. Motion passed 5-0.

***Hill Road Lease*** – Mr. Boland stated he made revisions to the lease and provided Mr. Bingaman with a copy at the meeting. Mr. Keifrider moved, seconded by Mr. Hackett to approve the lease subject to the Solicitor's revisions. Mrs. McGrath asked if the Township's insurance would increase as a result. Mr. Boland stated the Township can't apply for a ***tax exemption*** for the track. The Lessee must apply for that exemption. Motion passed 5-0.

***Vincenzo's Landscape Substitution*** – Mr. Weber stated the plan required trees to be planted at the property line. Mimmo Brutto, owner, showed pictures of the trees. Mr. Weber stated the trees planted are Techny Arborvitae which grow fast and tall but they are not on the acceptable list in the Township's Ordinance. When the Township chose varieties of trees, the classes of arborvitae weren't as hardy as the types of arborvitae currently available, such as these. Mr. Brutto stated the trees have all been planted. Mr. Weber stated the plan called for spacing of 3' with a second row; and, for 40 trees where 30 were planted. Although they didn't follow the plan, they planted 18 more trees than the plan required. Mrs. McGrath asked the reason the plan wasn't followed. Mr. Brutto stated the trees require more spacing per the nursery. Mr. Weber stated the substitution would be for the type of tree and spacing to be 4' instead of 3'. Bruce Rubendall, 1160 Old Airport Road, stated he thought they had to follow the plan once approval is granted. Mr. Weber stated when the plan isn't followed the Board must grant approval, like the substitution being requested. Nate Halter, Halter Landscaping, stated that type of arborvitae will grow 2-3 feet each year. Michael Richard, 1168 Old Airport Road, stated the tree height at the corner isn't sufficient and light shines into their property. Mr. Brutto stated he would be willing to install "NO TRESSPASSING" signs to keep customers from entering the adjoining properties if that's what the other property owners want. Mr. Weller moved, seconded by Mr. Keifrider to approve the substitution as presented. Motion passed 5-0.

**NEW BUSINESS**

***2024 Draft Fee Schedule*** – Mr. Bingaman stated most of the changes were language clarification and modification to road opening requests. No action was being requested. The draft was being presented for discussion and will be presented at a December meeting for adoption. Mrs. McGrath asked staff to research fees charged by neighboring municipalities for paper copies.

***Shannon A. Smith - Change Order #1 (Public Works Storage Building #2)*** – Mr. Keifrider stated there was no way of knowing what was located underground. Parts of the trench were only one-foot deep and proper electric wiring wasn't used years ago. Mr. Keifrider stated the Change Order was requesting everything be run new from the old building to the new storage building. Mr. Keifrider moved, seconded by Mr. Weller to authorize Shannon A. Smith's Change Order #1 for the Electrical Contract of the Public Works Building #2 in the amount of \$6,117.67. Motion passed 5-0.

***Dutchman Contracting, LLC – Payment Applications (Public Works Storage Building #2) –***

Mr. Bingaman stated the general construction is at about 64% completion, and the plumbing construction is approximately 33% complete. Mr. Weller moved, seconded by Mr. Jones to approve the ***General Construction Contract Payment Application #1*** in the amount of \$189,621.00 and the ***Plumbing Contract Payment Application #1*** in the amount of \$11,986.00. Motion passed 5-0.

***Press Pump Repair*** – Mr. Bingaman stated there were issues with the sludge press. Mr. Maguire obtained a quote for worst-case scenario to repair the pump at a cost of \$31,621.08. Mr. Jones moved, seconded by Mr. Keifrider to authorize BDP Industries to complete repairs at a cost not to exceed \$31,621.08. Mr. Jones stated the repairs need to be made immediately as they are causing vibrations due to an internal problem with the pump and create a serious safety issue. Mrs. McGrath asked if the repaired pump remains with the planned upgrade and expansion. Mr. Bingaman affirmed. Motion passed 5-0.

**SOLICITOR’S REPORT**

None

**ENGINEER’S REPORT**

None

**MANAGER’S REPORT**

None

**SUPERVISORS**

Mr. Keifrider announced ***Service Electric*** has notified the staff of their intent for a \$10M upgrade of their network, bringing fiber to the Township. ***Comcast*** has been working on repairing damaged streetlights and a company out of New York has set up a hotline to handle damage complaints.

**PUBLIC COMMENT**

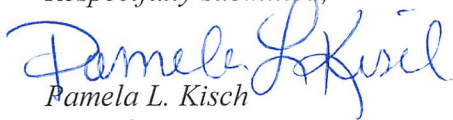
Mr. Richard asked that Mr. Weber check the elevation of the trees and the amount of light deflecting into his living room. Mr. Rubendall stated the original ***Vincenzo’s*** land development plan buffering to be at a minimum height of 5-feet, which was cut below the minimum. Mr. Boland stated the Township will require trees to be replaced when they die, only if the buffering is not appropriate. Mrs. McGrath advised Mr. Rubendall and Mr. Richard to contact Mr. Loomis directly if they believe trees have died and no longer provide the appropriate buffering. The Township does not continue checking sites year after year but will address any concerns reported.

**ADJOURNMENT**

At 6:55PM, with no further business, Mr. Jones moved, seconded by Mr. Keifrider to adjourn the meeting.

Meeting adjourned at 6:55PM.

*Respectfully submitted,*

  
Pamela L. Kisch  
Township Secretary

Report Criteria:  
 Report type: GL detail

Check Issue Date	Check Number	Vendor Number	Payee	Invoice Date	Invoice Number	Description	Invoice GL Account	Check Amount
<b>300th Anniversary Celebration</b>								
11/29/2023	33183	1903	Port A Bowl Restroom Co	10/23/2023	INV/2023/2	restroom rental 12/15-12/18 Winter Won	19-489-000.0	770.00
Total 300th Anniversary Celebration:								770.00
<b>CAPITAL FUND</b>								
11/29/2023	33184	1545	Quality Disposal Service	11/22/2023	162102	Roll-off Transportation (1)	30-409-374.0	550.00
Total CAPITAL FUND:								550.00
<b>EDU/CAPITAL RESERVE FUND</b>								
11/29/2023	33171	1272	Entech Engineering Inc.	10/11/2023	0087108	WWTP Expansion	09-429-315.0	99,609.70
11/29/2023	33171	1272	Entech Engineering Inc.	11/08/2023	0087497	WWTP Expansion	09-429-315.0	153,049.55
Total EDU/CAPITAL RESERVE FUND:								252,659.25
<b>FIRE FUND</b>								
11/29/2023	33166	1984	Brenda Baumer	11/20/2023	2023 TAX R	property tax refund - assessment reductio	04-310-250.0	5.33
11/29/2023	33177	1112	M.B. Investments	11/20/2023	2023 TAX R	tax refund - 95 E Ben Franklin Hwy assess	04-310-250.0	4.20
Total FIRE FUND:								9.53
<b>GENERAL FUND</b>								
11/29/2023	33160	299	21st Century Media-Philly Clu	11/10/2023	2537424	MuniciBid advertisement - 1997 Loader	01-406-340.0	43.01
11/29/2023	33163	42	Berks Court Reporting Service	10/31/2023	LD-20175	ZHB - JW Real Estate Holdings application	01-414-316.0	175.00
11/29/2023	33166	1984	Brenda Baumer	11/20/2023	2023 TAX R	property tax refund - assessment reductio	01-301-100.0	25.70

M = Manual Check, V = Void Check

Check Date	Check Number	Vendor Number	Payee	Invoice Date	Invoice Number	Description	Invoice GL Account	Check Amount
11/19/2023	33166	1984	Brenda Baumer	11/20/2023	2023 TAX R	property tax refund - assessment reductio	01-310-510.0	1.45
11/19/2023	33167	1012	County of Berks	11/05/2023	5409662	mobile computer	01-410-320.0	458.50
11/19/2023	33171	1272	Entech Engineering Inc.	11/15/2023	0087770	Engineering - Highland Place Developmen	01-414-317.0	155.00
11/19/2023	33171	1272	Entech Engineering Inc.	11/15/2023	0087770	Engineering - Pagoda Motorcycle Club	01-414-317.0	77.50
11/19/2023	33171	1272	Entech Engineering Inc.	11/15/2023	0087771	Engineering - Highland Place Developmen	01-414-317.0	387.50
11/19/2023	33171	1272	Entech Engineering Inc.	11/15/2023	0087772	Engineering Services - Arbour Green	01-414-317.0	277.50
11/19/2023	33171	1272	Entech Engineering Inc.	11/15/2023	0087773	Engineering Services - Royal Farms	01-414-317.0	310.00
11/19/2023	33171	1272	Entech Engineering Inc.	11/15/2023	0087774	Engineering Services - Leaf Creek	01-414-317.0	155.00
11/19/2023	33171	1272	Entech Engineering Inc.	11/15/2023	0087775	Engineering - 447 Old Swede Rd	01-414-317.0	155.00
11/19/2023	33171	1272	Entech Engineering Inc.	11/15/2023	0087776	Engineering - Pagoda Motorcycle Club	01-414-317.0	155.00
11/19/2023	33171	1272	Entech Engineering Inc.	11/15/2023	0087777	Engineering - 824 E. Ben Franklin Hwy	01-414-317.0	77.50
11/19/2023	33172	449	Grainger	11/09/2023	989968242	rack system	01-430-260.0	1,049.19
11/19/2023	33173	154	Harner's Auto Body Inc.	11/09/2023	15472	Truck #69 pads & rotors	01-437-370.0	628.26
11/19/2023	33174	617	Hopewell Farms Inc.	11/08/2023	510	yard waste container-tipping fee (3)	01-426-001.0	825.00
11/19/2023	33175	216	J.P. Mascaro & Sons	11/13/2023	000050412	waste removal-Lake Dr. & container remo	01-454-220.0	86.25
11/19/2023	33175	216	J.P. Mascaro & Sons	11/13/2023	000050412	waste removal-twp. bldg.	01-409-365.0	237.48
11/19/2023	33176	190	Kimball Midwest	11/13/2023	101635771	shop supplies	01-438-200.0	110.42
11/19/2023	33177	1112	M.B. Investments	11/20/2023	2023 TAX R	tax refund - 95 E Ben Franklin Hwy assess	01-301-100.0	20.25
11/19/2023	33177	1112	M.B. Investments	11/20/2023	2023 TAX R	tax refund - 95 E Ben Franklin Hwy assess	01-310-510.0	1.14
11/19/2023	33178	713	MRM Workers' Comp Fund	11/15/2023	2324PRJ98	WC-Admin	01-401-123.0	94.71
11/19/2023	33178	713	MRM Workers' Comp Fund	11/15/2023	2324PRJ98	WC-Codes	01-413-122.0	30.61
11/19/2023	33178	713	MRM Workers' Comp Fund	11/15/2023	2324PRJ98	WC-Police	01-410-192.0	8,029.14
11/19/2023	33178	713	MRM Workers' Comp Fund	11/15/2023	2324PRJ98	WC-Roads	01-438-150.0	1,572.85
11/19/2023	33179	242	National Uniform Rental	11/16/2023	1012781	unifoms-roads	01-430-191.0	42.36
11/19/2023	33179	242	National Uniform Rental	11/23/2023	1013015	unifoms-roads	01-430-191.0	42.36
11/19/2023	33180	109	New Enterprise Stone & Lime	11/09/2023	8222131	cold patch	01-438-200.0	192.57
11/19/2023	33181	251	Old Dominion Brush	11/15/2023	8795654	leaf box rubber intake gasket	01-437-370.0	187.97
11/19/2023	33185	1595	PC Solutions Inc.	11/21/2023	CW117990	Block contract renewal - 40 hours	01-406-741.0	2,880.00
11/19/2023	33186	342	Telco Inc.	11/17/2023	33733	422 & River Bridge repair	01-433-370.0	189.00



Check Issue Date	Check Number	Vendor Number	Payee	Invoice Date	Invoice Number	Description	Invoice GL Account	Check Amount
11/29/2023	33187	398	U.S. Municipal Supply, Inc.	11/21/2023	6214273	truck #63 salt spreader auger motor	01-437-370.0	1,057.24
11/29/2023	33189	894	Weaver's Hardware Co Inc.	11/13/2023	50063	Leaf rake	01-430-260.0	14.99
11/29/2023	33191	1933	World Fuel Services Inc.	11/20/2023	2628441-41	diesel	01-430-231.0	2,395.32
11/29/2023	33192	380	Z-Weldco	11/11/2023	20370	chipper chute repair	01-437-370.0	67.50
Total GENERAL FUND:								22,208.27
<b>RECREATION FUND</b>								
11/29/2023	33166	1984	Brenda Baumer	11/20/2023	2023 TAX R	property tax refund - assessment reductio	13-301-100.0	1.45
11/29/2023	33177	1112	M.B. Investments	11/20/2023	2023 TAX R	tax refund - 95 E Ben Franklin Hwy assess	13-301-100.0	1.14
Total RECREATION FUND:								2.59
<b>SEWER FUND</b>								
11/22/2023	32709	783	Delaware River Basin Commis	07/13/2023	DRBC APP 7	DRBC Docket Amendment Application W	08-429-370.0	614.00- V
11/29/2023	33161	1482	American Water	11/01/2023	400027059	usage data	08-429-325.0	18.61
11/29/2023	33162	1531	Andrews ArborCare & Outdoo	11/18/2023	1377	tree removal Lake Drive ROFW	08-429-371.0	900.00
11/29/2023	33164	47	Birdsboro Auto Parts	11/15/2023	909867	supplies to service trucks 60, 61, CT1	08-429-330.0	141.42
11/29/2023	33165	59	Boyertown Supply	11/21/2023	950612-000	Press pump parts	08-429-370.0	13.92
11/29/2023	33165	59	Boyertown Supply	11/21/2023	950618-000	Press pump parts	08-429-370.0	34.51
11/29/2023	33168	1484	Coyne Chemical	11/06/2023	418628	Chemical for PS #5	08-429-372.0	1,635.00
11/29/2023	33169	90	Dallas Data Systems	11/15/2023	26811	Utility Billing Contracted Services	08-429-317.0	1,750.00
11/29/2023	33170	783	Delaware River Basin Commis	07/13/2023	DRBC APP 7	DRBC Docket Amendment Application W	08-429-370.0	614.00
11/29/2023	33171	1272	Entech Engineering Inc.	11/15/2023	0087770	General Engineering-Sewer	08-429-313.0	1,550.00
11/29/2023	33175	216	J.P. Mascaro & Sons	11/13/2023	000050402	sludge disposal	08-429-380.0	1,220.00
11/29/2023	33175	216	J.P. Mascaro & Sons	11/13/2023	000050412	waste removal-WWTP	08-429-370.0	67.77
11/29/2023	33175	216	J.P. Mascaro & Sons	11/15/2023	000050491	sludge disposal	08-429-380.0	2,450.04
11/29/2023	33176	190	Kimball Midwest	11/13/2023	101635603	prep tool & supplies	08-429-370.0	443.99
11/29/2023	33178	713	MRM Workers' Comp Fund	11/15/2023	2324PRJ98	WC-Sewer	08-429-150.0	2,359.27

M = Manual Check, V = Void Check

Check Register - Fund Level Breakdown for Board  
Check Issue Dates: 11/16/2023 - 11/29/2023

Check Date	Check Number	Vendor Number	Payee	Invoice Date	Invoice Number	Description	Invoice GL Account	Check Amount
11/29/2023	33179	242	National Uniform Rental	11/16/2023	1012782	uniforms-sewer	08-429-191.0	36.50
11/29/2023	33179	242	National Uniform Rental	11/23/2023	1013016	uniforms-sewer	08-429-191.0	36.50
11/29/2023	33182	282	Pollu-Tech Inc.	11/14/2023	1123004	press polymer	08-429-370.0	3,366.00
11/29/2023	33185	1595	PC Solutions Inc.	11/21/2023	CW117990	Block contract renewal - 40 hours	08-429-741.0	1,920.00
11/29/2023	33188	359	USA Blue Book	11/09/2023	INV001918	heaters	08-429-370.0	398.95
11/29/2023	33190	1195	Windstream Corporation	11/17/2023	021914413-	communication - sewer	08-429-320.0	305.16
11/29/2023	33191	1933	World Fuel Services Inc.	11/11/2023	2620258-41	dig bldg heating oil	08-429-361.0	2,044.91
Total SEWER FUND:								20,692.55
Grand Totals:								296,892.19

Manual Check, V = Void Check

Dated: November 29, 2023

Supervisors: Kim McGrath

Paul Welles

[Signature]

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Report Criteria:

Report type: GL detail