

**WASHINGTON TOWNSHIP BOARD OF SUPERVISORS  
MINUTES  
SEPTEMBER 28, 2017**

**CALL TO ORDER**

Chairperson James Roma called the regularly scheduled meeting of the Washington Township Board of Supervisors to order at 7:02 p.m., at the Washington Township Municipal Building. The meeting opened with the Pledge of Allegiance.

**ROLL CALL**

The following members were present: Supervisors, James Roma; David Moyer, Ernest Gehman, Solicitor, Dan Becker, Esquire; John Weber representing LTL Consultants, Brian Brochon, Gilmore & Assoc., Township Manager, Richard Sichler, staff member Susan Brown and approximately twenty-one (21) residents in attendance.

Absent:

**TAPING OF MEETING**

The meeting was recorded as an aid in the preparation of the minutes. It was noted no one other than township staff was taping the meeting this evening.

**SPECIAL REQUEST**

None

**PUBLIC COMMENTS**

**James Treichler**, stated he has several concerns regarding the work at the traffic light. The fence in front of Wendy's Flowers was removed and Mr. Treichler would like to know who will be replacing the fence. Mr. Sichler explained the contract does not call for the fence to be replaced. The plan is to complete the contract as designed and evaluate everything upon completion. Mr. Treichler stated the fence was mandatory per the Land Development Plan. Mr. Weber indicated the Plan was to be replaced along the parking area at Wendy's but the fence along the block wall, since it was so close to the right-of-way line that it was not intended to be reinstalled. Mr. Treichler also stated the slope in front of Wendy's is unsafe to mow due to the newly installed turning lane. Mr. Treichler suggested the grass area be replaced with river stone. Also, the entrance to Wendy's from Route 100 was damaged by the Contractor and the grade is different and has created more of an incline and would like it milled out and corrected. Additionally, the exit/entrance at Gehringer Road has the same issue with cars bottoming out and stated the Contractor is responsible for the entrance at Route 100 and the Township is responsible for the exit/entrance at Gehringer Road.

Mr. Treichler also stated the garage at 1342 Route 100 stated it was mandatory to change the entrance to the garage. River Rock was placed between the two entrance/exits and people are having difficulty finding the entrance/exits. Mr. Treichler stated he was told

there would be curbing installed at the garage. Mr. Becker and Mr. Weber both indicated PennDOT would not allow curbing.

**Rudy Kadlecik**, stated in 2012 he applied for a sign permit for 1342 Route 100 however Mr. Kadlecik could not get the sign without a variance. Mr. Kadlecik stated he is no longer renting this property and would like the return of his \$454 paid for the sign and credit that amount to his sewer bill. **No action was taken.**

**John Christman**, asked what the process is for establishing a new ordinance. Mr. Becker stated it can be proposed to the Board of Supervisors and ultimately it is their decision.

**Peter Rotelle**, was present this evening to see what is going on and if a decision has been made. Mr. Becker stated this was discussed in Executive Session because it involves potential litigation. Mr. Rotelle stated he felt it was a gross disservice to the constituents of the township. Mr. Rotelle stated he help the township out back in 2003 when they needed money and he wrote a check for a million dollars. Mr. Rotelle stated the taxes in Berks County are the highest in Pennsylvania as well as the highest sewer rate and stated he is trying to sell houses in this township and the township still wants more money from him. He can't compete with Buck and Montgomery Counties for home sales. Mr. Rotelle indicated he is selling homes at near cost in order to get connections to the sewer system to enable the township to operate a sewer system that makes money and hopefully reduce the sewer rates for the constituents and now for the first time in 30 years of building homes, the township wants to litigate.

**Charles Lawrence**, asked if there had been any progress made regarding the speed issue on Crow Hill Road. Mr. Sichler stated he spoke with PSP but did not get any assurance that they would have additional patrols in the area. Mr. Sichler will talk with Bally Police. Mr. Sichler also stated he did get pricing on the flashing speed limit signs and that would be discussed at budget time.

Chairman Roma announced an Executive Session was held this evening at 6:00 p.m. regarding potential litigation.

#### **APPROVAL OF MEETING MINUTES OF AUGUST 24, 2017**

A motion was made by David Moyer and seconded by James Roma to approve the minutes for the meeting of August 24, 2017 as prepared. **No comments received.**

**All ayes**

#### **TOWNSHIP REPORTS**

A motion was made by Ernest Gehman and seconded by David Moyer to approve the payment of all bills for the General Fund, Highway Aid Fund, Recreation Fund, Street Light Fund, Traffic Impact Fund, Sewer Fund and Building Escrow Funds up to and inclusive of September 28, 2017, and to file the treasurer's report for audit. **No comments received.**

**All ayes**

**TAX COLLECTOR**

Tax Collectors Report for the month of August 2017:

Real Estate Tax	\$ 2,107.52
Interim Tax	\$ 1,227.21
Per Capita Tax	\$ 6,331.30
Amusement Tax	<u>\$ 16,134.92</u>
Total	\$ 25,800.95

**FIRE CHIEF'S REPORT**

A copy of the Eastern Berks Fire Department Report is in the binders.

**ZONING/SEO REPORT**

Reports are in the binders

**SEWER ENGINEER'S REPORT**

A copy of the Sewer Engineer's Report is enclosed

A copy of the EEMA O & M Report is enclosed

As part of the Corrective Action Plan (CAP) the township was monitoring the Swamp Creek Pump Station for a 12-month period from last September through the end of August and met the requirements. Mr. Brochon is asking for authorization to submit a letter to DEP. A motion was made by David Moyer and seconded by Ernest Gehman authorizing Gilmore & Assoc. to submit a letter to DEP notifying them the Corrective Action Plan with regard to Swamp Creek has been met and to remove Swamp Creek from that Plan. **No comments received.**

**All ayes**

In July DEP requested an Engineering Analysis on the impacts of the proposed Swamp Creek Pump Station expansion and additional connections and what impact it would have on the Treatment Plant. A motion was made by Ernest Gehman and seconded by David Moyer authorizing Gilmore & Assoc. to submit the prepared Analysis to DEP. **No comments received.**

**All ayes**

The draft DPDES Permit has been received and is under review and have until October 9<sup>th</sup> to submit comments. A motion was made by David Moyer and seconded by James Roma authorized Gilmore & Assoc. to provide comments to DEP by October 9, 2017. **No comments received.**

**All ayes**

Supervisor Moyer asked if there will be any additional cone replacements. Mr. Sichler stated, no. There are two repair locations and a line for repair.

**TOWNSHIP ENGINEER**

A copy of the Township Engineer's Report is enclosed.

The revised Brooke-Fronheiser Plan has been submitted and will be reviewed at the October 5<sup>th</sup> Planning Commission meeting. There was also a new Annexation Plan submittal from Bruce Ritter located near Wheeler Lane. This Plan will be presented for submittal at the October Planning Commission meeting.

Bally Springs Phase II continues with house construction. Bally Springs Phase III has had major earthwork done, three basins have been installed and are currently working on the installation of sanitary sewer.

A motion was made by Ernest Gehman, seconded by David Moyer authorizing the Bally Springs Phase III Escrow Release #1 in the amount of \$219,656.50. **No comments received.**

**All ayes**

A motion was made by David Moyer and seconded by James Roma authorizing the Traffic Signal Project Payment Application #1 to Grace Industries, Inc. in the amount of \$214,556.84. **No comments received.**

**All ayes**

**Public Comment:**

**James Treichler**, inquired as to who is handling issues/complaints dealing with Grace Industries. Mr. Weber indicated Mr. Sichler is on site handling the project. Mr. Roma stated final payment will not be released to the contractor until all issues are addressed.

**SOLICITOR'S REPORT**

Mr. Becker reported the ordinances he has been working on have been sent to the Berks County Planning Commission for review and are waiting on their comments.

A motion was made by David Moyer, seconded by Ernest Gehman authorizing the Solicitor to proceed with litigation against Rotelle Development as discussed in Executive Session. **No comments received.**

**David Moyer – aye**

**Ernest Gehman – aye**

**James Roma - opposed**

**Public Comments:**

**James Treichler**, addressed the matter of the condemnation of his property to which he states the matter has not been resolved. Mr. Treichler stated there are thousands of dollars in limbo. Mr. Treichler stated that someone needs to foot the bill for his legal fees. Mr. Becker stated the township does not believe that it has any responsibility for that matter.

**SUPERVISORS**

**UNFINISHED BUSINESS**

Barto Road traffic light update – Mr. Sichler indicated things are moving along and they continue to strive to meet the completion date of October 15<sup>th</sup>. Barto Road will be closed

to incoming traffic from Route 100 tomorrow however they will accommodate the school buses.

**Public Comment:**

**John Wynne**, inquired as to how does the light sequencing get determined? Mr. Sichler stated that is done by PennDOT.

**NEW BUSINESS**

A motion was made by James Roma and seconded by David Moyer to return the park reservation fee as requested. **No comments received.**

**All ayes**

A motion was made by David Moyer and seconded by Ernest Gehman approving the Road Occupancy Permit for RAW Excavating. **No comments received.**

**All ayes**

Supervisor Moyer stated when a Road Occupancy Permit is issued, someone from the township should be out at the work site for observation.

Mr. Sichler reported the Minimum Municipal Obligation (MMO) for the township pension plan is \$31,313.00 and additionally there is a residual pension plan for the Municipal Authority with the MMO of \$4,678.00.

A motion was made by Ernest Gehman and seconded by David Moyer approving the Special Meeting minutes of August 1, 2017 as prepared. **No comments received.**

**All ayes**

A motion was made by Ernest Gehman and seconded by David Moyer authorizing the Township Manager to cast the votes for Pennsylvania Twps. Health Insurance Cooperative Trust and PSATS Unemployment Compensation Group Trust. **No comments received.**

**All ayes**

Mr. Sichler reported the paving projects for Pine Street and Weinstein Road has been tentatively scheduled for October 10<sup>th</sup> and 11<sup>th</sup>. Roads will be closed for this project and all emergency services have been notified. Letter will go out to the affected residents.

It was reported the new truck has been delivered to E M Kutz about a week ago. Delivery of the truck will be sometime in late November.

**SUBDIVISION/PLANNING**

None

**SUBDIVISION EXTENSION**

None

## COMMUNICATIONS

- Copy of the ARB Delinquent Account Report is enclosed.

## ANNOUNCEMENTS

Budget meetings are scheduled for Monday, October 16<sup>th</sup> and Tuesday, October 17<sup>th</sup> at 6:00 pm

There will be a joint BOS/WTMA meeting held on Thursday, October 26, 2017 at 6:00 pm

The next Water (WTMA) meeting will be held on Thursday, October 26, 2017 at 6:30 pm

The next board of Supervisors meeting will be held on Thursday, October 26, 2017 at 7:00 pm.

Supervisor Moyer reported a sewer line was struck during the traffic light construction and stated the contractor working for the township in a trench that was not shored up. Mr. Sichler suggested pre-qualifying contractors. Mr. Moyer also stated the township Roadcrew needs training for trenching. Mr. Sichler stated this would be addressed at the next safety committee meeting. Mr. Moyer also stated the township should look into purchasing portable shoring.

## EXECUTIVE SESSION

### ADJOURNMENT

A motion was made by David Moyer and seconded by Ernest Gehman to adjourn the meeting at approximately 7:58 p.m. **No public comment received.**

**All ayes**

Respectfully submitted,

Richard Sichler  
Manager/Secretary