

**WASHINGTON TOWNSHIP BOARD OF SUPERVISORS
MINUTES
AUGUST 23, 2018**

CALL TO ORDER

Chairman David Moyer called the regularly scheduled meeting of the Washington Township Board of Supervisors to order at 7:03 p.m., at the Washington Township Municipal Building. The meeting opened with the Pledge of Allegiance.

ROLL CALL

The following members were present: Supervisors, David Moyer, Thomas Powanda, James Roma, Solicitor, Daniel Becker, Esquire; John Weber representing LTL Consultants, Brian Brochon, Gilmore & Assoc., Township Manager, Richard Sichler, staff member Susan Brown and approximately twenty-three (23) 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

Bally Springs Home Owners Assoc.- Christian Fowkes, 31 Joy Circle, member of the Board of the HOA was present this evening to discuss the installation of street lights in Bally Springs Phase 2. Mr. Fowkes stated that the majority of property owners in Phase 2 do not want street lights installed. Mr. Becker explained the reason the street lights are going to be installed is because they are required by Ordinance. The Board of Supervisors previously denied a request to waive the requirement of street lights. The Plan has been approved with the street lights on the Plan and recorded with the Recorder of Deeds Office. Ultimately it is up to the Supervisors to decide if they want the street lights. Chairman Moyer explained street lights are very helpful when plowing. Supervisor Powanda stated he felt the lights should be installed for safety of children and for plowing. The Board is not inclined to remove the lighting from Phase 2.

PUBLIC COMMENT

Jay Jeffries, 7 Bunting Court, asked when the check will be released to Prince Law Firm for the tax assessment appeal for Spring Valley Village. It was stated the check will be released upon approval.

Tom Palmer, 2115 Old Route 100, stated he lives across the street from the 2116 Tap Room. Behind the Tap Room is a six-acre parcel where a trash service is being operated. Mr. Palmer indicated trash trucks are cutting through the Tap Room parking lot to access the 6-acre parcel, which is zoned Watershed Conservation. Mr. Palmer has several concerns regarding the trash trucks being parked on this property, covered dumpsters

entering and leaving the property and a tow truck towing a trash truck. Mr. Palmer is concerned about a pipe he saw in the ground could lead to other illegal activities occurring at this property. Mr. Becker explained that a Notice of Violation letter dated August 1, 2018 has been issued to the trash hauler, he now has 30 days to make application to the Zoning Hearing Board for a use variance or application to appeal. If neither of those happen within the 30 days then citations can be filed for a non-conforming use. Mr. Palmer stated they do not have a Highway Occupancy Permit. Mr. Becker stated that is a state roadway and a HOP would need to be issued by PADOT. Mr. Palmer states PADOT claimed the township is responsible to enforce them not accessing that property. Mr. Becker stated that is not accurate, it is a private property issue and a PADOT issue. Mr. Palmer asked what the fines are and Mr. Becker indicated the fines are set by the court.

Mrs. Galloway, Old Route 100, stated she has spoken to the PADEP and they are coming out to the site to take a look. Mrs. Galloway also stated there were at least 12 trucks between 9:00 p.m. and 1:00 am past her home that went to this property. Mrs. Galloway expressed frustration that nothing is being done and that Mr. McGovern is getting away with a zoning violation. Chairman Moyer explained that there is a process that must be followed and the township has started the process. Mrs. Galloway asked what needs to happen regarding the noise ordinance. Mr. Weber stated the noise needs to be witnessed and documented by the Code Officer. Chairman Moyer stated the situation is being addressed. Mr. Becker said by the next meeting the township will know if Mr. McGovern has filed an appeal.

Charles Lawrence, 267 Crow Hill Road, again asked about the speeding on Crow Hill Road. Chairman Moyer stated he has inquired with a few different vendors but has not yet read the response emails. Mr. Moyer stated he will hopefully have more information next month.

Peg Stuart, 109 Nuthatch Court, asked about when Prestige Builders will be having settlement. Mr. Sichler stated he was told they had settlement on July 13, 2018. Ms. Stuart also questioned if there was research done into Grandview Speedway and the start and stop times for races. Chairman Moyer stated unless there is a problem with the racetrack he is satisfied with the long-standing agreement with the raceway. Ms. Stuart asked if the township is not going to require any type of formal paperwork/agreement. Chairman Moyer stated he has been around Grandview for many years and the agreement is if a race starts prior to 11:45 p.m. they can finish the race. Chairman Moyer said they still honor the verbal agreement after all these years. Ms. Stuart stated that things have changed and there are many more homes in the area now and a written agreement should be put in place. Chairman Moyer stated he feels Grandview has been an outstanding business in the community and has honored their agreement. Ms. Stuart said there have been numerous complaints over the past few years.

Doug Stetler, Limekiln Road, stated Grandview has been here in the township for 55 years and there is an old saying let the buyer beware. People move into the area you found the supermarkets, you found the barber. The racetrack has been there and as a

business owner you can't have the township say I can only do certain things during certain hours and I've been here for 40 years. You knew what was here when you moved here. You also talk about the sewer, you could have done due-diligence and knew what the rates were when you moved here. You cannot penalize a good business in the township that adheres to the rules all these years and pays an amusement tax and they pay on time.

Chairman Moyer announced an Executive Session was held this evening to discuss potential litigation.

APPROVAL OF MEETING MINUTES OF JULY 26, 2018

A motion was made by James Roma and seconded by Thomas Powanda to approve the meeting minutes as prepared. **No comments received.**

All ayes

TOWNSHIP REPORTS

A motion was made by James Roma 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 August 23, 2018, and to file the treasurer's report for audit. **No comments received.**

All ayes

TAX COLLECTOR

Tax Collectors Report for the month of July 2018:

Real Estate Tax	\$ 949.81
Interim Tax	\$ 1,010.67
Per Capita Tax	\$ 88.00
Amusement Tax	<u>\$ 6,972.50</u>
Total	\$ 9,020.98

FIRE CHIEF'S REPORT

A copy of the Eastern Berks Fire Department Report is enclosed.

ZONING/SEO REPORT

Reports are in the binders.

SEWER ENGINEER'S REPORT

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

A copy of the EEMA O & M Report is enclosed

Mr. Brochon reported the Swamp Creek Pump Station upgrade project-The Part II Water Quality Management Permit has been submitted to PADEP. It is currently under review and are awaiting a formal response.

2018 I/I Program observation summary has been completed and given to Mr. Sichler and are currently assisting with letters to be sent out to the affected residents.

TOWNSHIP ENGINEER

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

2018 Road Project consisting of Lenape Road, Heydt's Schoolhouse Road and Deer Run Road. Project is a full depth reclamation (FDR) and asphalt overlay. The FDR portion of the project was completed on Tuesday. The initial paving was to be completed on August 31 and September 1 however that has been changed to August 30 and August 31.

A motion was made by Thomas Powanda and seconded by James Roma authorizing the advertisement of the Pollution Reduction Plan for MS4 Permit for public comment. **No comments received.**

All ayes

Shuhler Farm Subdivision-Present this evening representing the Shuhler Farm Plan is Mr. John Aston, Aston Surveyors/Engineers and Matt Doll, Esquire. It appears the issue has been resolved as to what happens if Bally Borough does not get approval for the well. The Agreement of Sale has been revised and has been reviewed by Mr. Becker. Bally will pay the Shuhler's in advance and if the permit is not approved Bally Borough will be paid by Mr. Ehst for the land. Mr. Ehst will absorb the parcel and the parcel will be annexed. Mr. Aston will prepare an Annexation Plan to give to the Township to hold in escrow and record it if Bally does not get the necessary approvals. There were three outstanding items, notes on the Plan, Annexation Plan in escrow and the shared driveway easement which Mr. Doll has been working on. Mr. Weber stated the Planning Commission recommended the approval of 6 waivers which still need to be acted upon by the Board of Supervisors. Chairman Moyer stated when everything is complete the Plan should come back before the Board of approval.

SOLICITOR'S REPORT

None

SUPERVISORS

UNFINISHED BUSINESS

Boyertown Soccer Club J.K. Memorial Field tentative start date is Tuesday, Sept. 4, 2018. The Club has requested to install a camera on the WWTP to record progress of the project. There was no opposition to the installation of the camera.

NEW BUSINESS

Spring Valley Village Tax Assessment Appeal-A motion was made by David Moyer and seconded by Thomas Powanda to pay the Tax Appeal Assessment in the amount of \$11,986.96. **No comments received.**

All ayes

Office lighting upgrade-Mr. Sichler has checked into rebates from the power companies and there is a rebate available. Mr. Sichler continues to work on this and will present at next month's meeting.

UGI-Two applications have been received from UGI to cut the roadway open on Stauffer Road. The request will be for UGI to install perpendicular to the road, at a 90°, to traverse the right of way and to stake out. A motion was made by James Roma and seconded by David Moyer approving the permit application with revisions as discussed. **No comments received.**

All ayes

Storm Readiness-Chairman Moyer asked if the trench box has been purchased yet. Mr. Sichler stated he has the pricing for the trench box but it was not purchased. Mr. Sichler will get updated price quotes and bring back to next months meeting. Roadmaster Mohr also asked about the gas monitors previously discussed. Mr. Sichler will also check the budget with respect to the purchase of the street sweeper that was previously discussed. Supervisor Powanda would like to see the sweeper purchased by next year.

Chairman Moyer asked when the new doors would be installed on the Township building. Mr. Sichler stated they are scheduled to be installed the second week in September. Chairman Moyer also asked about the wish list for a few sewer items, one being the new arms for the WWTP and also the hoist. Mr. Sichler stated he was waiting for the plans to be finalized for the Swamp Creek Pump Station to see if it would be practical to have a lift that would be purchased under that project. When approval of the Pump Station is received a decision will have to be made as to what will be purchased or if renting would be a better option.

Bally Borough Water Contract Renewal-A motion was made by James Roma and seconded by Thomas Powanda authorizing approval of a one-year water contract renewal contingent upon the Solicitors review. **No comments received.**

All ayes

SUBDIVISION/PLANNING

None

SUBDIVISION EXTENSION

None

COMMUNICATIONS

Copy of the ARB Delinquent Account Report is enclosed.

ANNOUNCEMENTS

The next board of Supervisors meeting will be held on Thursday, September 27, 2018 at 7:00 pm.

Chairman Moyer announced there are many volunteer opportunities available, anyone interested please stop in at the township office for a volunteer application.

EXECUTIVE SESSION

ADJOURNMENT

A motion was made by James Roma and seconded by Thomas Powanda to adjourn the meeting at approximately 8:46 p.m. **No public comment received.**

All ayes

Respectfully submitted,

Richard Sichler
Manager/Secretary