

**WASHINGTON TOWNSHIP BOARD OF SUPERVISORS
MINUTES
SEPTEMBER 26, 2019**

CALL TO ORDER

Chairperson 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, Joan London, Esquire; John Weber representing LTL Consultants, Brian Brochon, Gilmore & Assoc., Township Manager, Richard Sichler, staff member Susan Brown and approximately twenty-eight (28) residents in attendance.

Absent:

TAPING OF MEETING

The meeting was recorded as an aid in the preparation of the minutes. It was noted township resident LeRoy Renson was taping the meeting in addition to township staff.

Chairman Moyer announced an Executive Session was held this evening concerning litigation and personnel matters.

SPECIAL REQUEST

Representative David Maloney was present this evening for the presentation of commendations to members of the Eastern Berks Fire Department held at the outside pavilion. Chairman Moyer extended his congratulations to all five recipients of the commendations for their recent life-saving efforts.

Elaine Kelley, 38 Avalon Circle-mail delivery in Bally Springs Phase 3- Ms. Kelley spoke regarding the mail delivery issue in Bally Springs phase 3. Ms. Kelley stated phase 1 and 2 have curbside mail delivery however phase 3 has no mail delivery and mail must be picked up at the post office during their normal hours. Most people in phase 3 work and are not able to pick up their mail during the week and are only able to get to the post office on Saturday. The Postal Service says they will not deliver curbside to new developments and the development must install a cluster box. The Developer is saying there is no room for a cluster box and had this been decided prior to the approval of the Subdivision Plan they would have made accommodations for a cluster box. Ms. Kelley understands the township does not have authority over the postal service however the residents are asking for any assistance, support, suggestions, etc. from the township to resolve this situation. It was stated medication is delivered by mail and it is imperative that residents receive their medication in a timely manner. It was suggested the residents contact Representative David Maloney for assistance. The Tot Lot is centrally located

and would really be the only place to put a cluster box. The Residents will keep the township informed of their progress.

PUBLIC COMMENT

LeRoy Renson, Wissinger Road, spoke regarding the neighboring property. Mr. Renson stated this has been going on for about 7 or 8 years. He also stated the reason he is taping the meeting is because at the last meeting the Solicitor told him to calm down when he was doing nothing wrong so he is going to prove, if he has to, that he is staying calm. Mr. Renson asked what happened to the guy that was going to cut the neighbors property and it was stated it was beyond his capabilities. Mr. Weber indicated the enforcement process has been completed and citations have been issued. Mr. Weber stated LTL has contacted the son of the property owner and he is in Alaska. Chairman Moyer stated the township has to follow the process. Mr. Renson requested that LTL notifies him when the hearing will be held so he can attend. Mr. Renson stated he will be back at next month's meeting.

Jay Jeffries, 7 Bunting Court, stated Labor Day weekend there were numerous fireworks in the area. Upon calling the PA State Police a car was sent to the area and the residents were told the individual had a permit from the State to test fireworks and would stop setting them off at 9:30 p.m. Mr. Jeffries asked if there was in fact a permit issued and who issues the permit. Mr. Sichler stated a resident had stopped in the township office and stated he would be setting off fireworks and that he is licensed by the state, he notified the fire department and also stated he is insured.

Rudy Kadlecik, Passmore Road, thanked the township for handling the Grandview Speedway camping issue so quickly. Mr. Kadlecik stated in Aug. 2012 he applied for a sign permit for 1342 Route 100 (Barto Garage) and wrote a check to the township for \$454 and received a permit stating 70-foot setback for the sign and stated he doesn't know why he would want to install a sign for a business 70 feet back. He contacted LTL and the township and was told 70 feet is the ordinance. Mr. Kadlecik was told to pay \$1,000 to apply for a variance. Mr. Kadlecik stated he no longer owns the business and asked for a refund for the permit which Mr. Kadlecik feels was defective from the start and only received a check in the amount of \$72.73. Invoices were provided to Mr. Kadlecik for inspections etc. and Mr. Kadlecik claims no one did any inspections and wants to know why he is not receiving a full refund. Mr. Weber explained the sign would need to be out of the PADOT right of way but the setback of 70 would be for the building. Mr. Kadlecik asked for everything in writing and never received anything. Mr. Weber stated he will look into this matter.

APPROVAL OF MINUTES OF THE REGULAR MEETING OF AUGUST 22, 2019

A motion was made by Thomas Powanda and seconded by James Roma to approve the minutes as prepared for the August 22, 2019 meetings. **No comments received.**

All aye

TOWNSHIP REPORTS

A motion was made by David Moyer, seconded by James Roma 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 26, 2019, and to file the treasurer’s report for audit. **No comments received.**

All ayes

TAX COLLECTOR

Tax Collectors Report for the month of August 2019 was given by Richard Sichler on behalf of the Tax Collector:

Real Estate Tax	\$ 1,147.92
Interim Tax	\$ 1,438.07
Hydrant Tax	\$ 32.30
Per Capita Tax	\$ 6,222.70
Amusement Tax	<u>\$ 6,848.24</u>
Total	\$ 15,689.23

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 Engineer’s Monthly Report is enclosed.

A copy of the EEMA O & M Report is enclosed

Mr. Brochon reported an evaluation is underway to see what would be needed and what the cost would be for a stainless-steel rail system at the treatment plant influent pump station.

Mr. Brochon also indicated he is obtaining cost estimates for potential system wide flow metering program to identify areas and sources of I/I entering into the sewer system.

Public Comment:

Doug Stetler, Limekiln Road, asked when developers are asking for sewer capacity is there a provision for future expenses which will occur such as new pumps etc., is that something that the township can have the developer pay for in the future. It was explained there is an improvements agreement that is available during development and an additional 18 months maintenance period afterward. There comes a point when the infrastructure is dedicated to the township and at that point it becomes the responsibility of the township and becomes part of the rate base

TOWNSHIP ENGINEER

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

Mr. Weber reported as requested at the last meeting, a letter was sent to Grandview Speedway and a call was received from the property owner indicating the institution of a new policy whereby the day following a race, campers will need to leave the property. This will be their policy going forward.

- 2019 Road Project-LTL presented invoice #168 for the Lenape Road project in the amount of \$257,211.65. The invoice has been reviewed and all the line items are correct and all contract documentation has been received. The project has been reviewed with the Roadmaster and he is satisfied with the project. LTL is recommending payment of the invoice in the amount of \$257,211.65. A motion was made by David Moyer and seconded by James Roma authorizing payment to Recon Construction Services, Inc. as outlined. **No comments received.**

All ayes

- Mr. Weber reported PADEP has issued the draft MS4 permit to Washington Township on 9/5/19 after the 30-day review period the permit will be issued. Chairman Moyer asked Mr. Weber to come up with a budget number for the implementation of the Pollution Reduction Plan.

SOLICITOR'S REPORT

A motion was made by Thomas Powanda and seconded by James Roma authorizing Kozloff Stoudt to proceed with advertising of the proposed zoning map amendment for land along Route 100 currently zoned HDV to Commercial and also to forward the same for review to the Berks County Planning Commission and the Washington Township Planning Commission. **No comments received.**

All ayes

A motion was made by David Moyer and seconded by Thomas Powanda authorizing Kozloff Stoudt to make some clarifications and to remove the Transferrable Development Right (TDR) references from agricultural districts and also to clarify certain excluded recreational uses and permissible recreational uses in the Watershed Conservation District (WSC) and R1 District. **No comments received.**

All ayes

A motion was made by David Moyer and seconded by Thomas Powanda authorizing the execution of an agreement to extend the 1998 Water Supply Agreement with Bally Borough while finalizing the conveyance of the Water System to the Bally Borough. **No comments received.**

All ayes

SUPERVISORS

UNFINISHED BUSINESS

- **PADOT Ehst Rd/Route 100 Stormwater Issue** – they continue to do the preliminary work for the engineering design.
- **Berkey's Bridge project update** – they are a few weeks ahead of schedule.

- **Limekiln Road stormwater** – the temporary construction easement has been obtained from the property owner. A motion was made by Thomas Powanda and seconded by David Moyer authorizing the execution of the temporary construction easement and right of way agreement. **No comments received.**

David Moyer – aye
Thomas Powanda – aye
James Roma – opposed

A motion was made by David Moyer, seconded by Thomas Powanda authorizing the Township Manager to draft a letter to the property owner at Limekiln Road stating the cost of the materials will be \$932 and 120 days after completion of the project the township would anticipate repayment. **No comments received.**

David Moyer – aye
Thomas Powanda – aye
James Roma – opposed

Public Comment:

Doug Stetler, asked when this project is scheduled to begin and it was stated October.

Jim Wenhold, 93 Limekiln Road, thanked the township for their assistance with the ongoing water problem. Mr. Wenhold stated he has a contaminated well and his trees are dead and asked why this neighbor has been allowed to get away with diverting water onto his property for so long. Mr. Weber stated the problem is being fixed now. Mr. Weber indicated the discharge was tested for sewage and only recently tested positive. Mr. Wenhold asked why the neighbor has been allowed to dump stormwater onto the road and nothing was done about it. Mr. Weber stated the position of the township has typically been if there is water flowing from one property onto another the township does not get involved and the reason the township got involved in this matter is because the water is running out onto the public road and creating a public hazard. Mr. Wenhold asked who will be responsible to maintain the cleanouts and it was stated each cleanout will be on individual resident’s property and that resident will be responsible.

- **Water System Sale** – *already discussed*
- **Rout 100 commercial rezoning** – *already discussed*
- **2019 Road Inspection**- Mr. Sichler will look to the Supervisors for available dates
- **Release of Claim** – with Met-Ed for damage to the township backhoe. A motion was made by David Moyer and seconded by James Roma authorizing the Township Manager to execute a Release of Claim with Met-Ed for which they will pay \$1,143.55 for damage to the township backhoe. **No comments received.**

All ayes

- **NEW BUSINESS**

- **2020 Minimum Municipal Obligation (MMO)** – Mr. Sichler informed the Board of the 2020 Minimum Municipal Obligation in the amount \$35,049.00. So

noted. As a side note the township has received state aid for 2019 in the amount of \$39,215.98. Chairman Moyer noted there is extra money in the amount of approximately \$4,000 and stated he would like this money to go back into the pension fund. Supervisor Roma asked if these funds give a credit toward next year or does this amount to extra dollars? Mr. Sichler stated this does not necessarily benefit the employee it will make the MMO lower next year. A motion was made by David Moyer and seconded by Thomas Powanda to put the excess into the pension fund. **No comments received.**

All ayes

- **West Tract lift station clean out** – An estimate of \$1,300 has been obtained to clean out the West Tract Pump Station and the cost will be charged to Prestige Builders.
- **Nuvoda/Kappe pilot test proposal** – A new amendment to the treatment process which is believed to increase the capacity of the plant. This is being done at no cost to the township. After the trial period the township has the option of keeping the system at a cost of \$375,000. It was suggested a certificate of insurance naming Washington Township as an insured be supplied by Nuvoda. Nuvoda provided an agreement and Mr. Sichler is looking for approval to enter into the agreement subject to Solicitor review. A motion was made by James Roma and seconded by Thomas Powanda authorizing the Township Manager to enter into an agreement with Nuvoda subject to Solicitor review. **No comments received.**

All ayes

- **Barto Road guiderail repair** – The guiderail along Barto Road was hit by a car. Collinson Inc provided an estimate of \$2,900 for repair. Mr. Sichler submitted the quote to the insurance company of the person who hit the guiderail and they issue a check and sent it directly to Collinson Inc. A motion was made by David Moyer and seconded by Thomas Powanda to enter into a contract with Collinson Inc. for the repair of the guiderail along Barto Road. **No comments received.**

All ayes

- **Environmental Advisory Council resignation** –A motion was made by David Moyer and seconded by James Roma accepting the resignation from Karen Stauffer from the EAC and to send a letter of thank you for her service. **No comments received.**

All ayes

Public Comment:

Kelly Umberger, 849 Hoffmansville Road, spoke about Comcast and the fact that the franchise agreement is coming up for renewal with the township. Ms. Umberger is very unhappy with Comcast and would like the township to get a different cable company into the township. The Supervisors asked the Township Manager at last months meeting to check into other cable companies.

- **Barto Road open space parcel, request for use by Optimists Club** – Supervisor Roma stated the Optimist Club is looking for more space for practice. The only parcel that is usable is the Barto Road open space. The Club is interested in using this parcel for practice only. Currently, the field use

agreements stipulate the Club pays the township to cut the grass, they pay for fertilization of the field, any equipment is their responsibility and any improvements become the property of the township. Mr. Sichler will get some numbers together as to what it will cost to make the field usable. A motion was made by James Roma and seconded by Thomas Powanda authorizing the Manager to get costs to make the field usable for the Optimists Club. **No comments received.**

All ayes

- **Road grader purchase** – Chairman Moyer located a used grader for a cost of \$53,500. If the Supervisors wish to pursue this, Mr. Sichler will draw up specs and advertise. It was previously discussed borrowing Pike Township’s grader however it’s difficult to work out a time that works for both parties. This will be discussed more at budget.
- **General Insurance Renewal** – The package did go up in price by 11% to \$28,969. A motion was made by David Moyer and seconded by Thomas Powanda authorizing the Township Manager to bind the insurance for 2020 at a cost of \$28,969. **No comments received.**

All ayes

- **Generator Grants**-Berks County Emergency Services has access to generator grants with a cost share with the County would pick up 25% of the total cost of the generator. Mr. Sichler will get more information.
- **EAC Meeting**-The EAC has asked if they could move their meeting from October 14th to October 7th which will require the cost of advertisement. The Board did not have an issue with this.
- **Shredder Purchase** – Mr. Sichler stated the shredder in the office is not working property. After shopping around the lowest price is at Amazon at a cost of \$1,750. A motion was made by David Moyer and seconded by James Roma to purchase the shredder at a cost of \$1,750. **No comments received.**

All ayes

- **Hill Church Road Bridge** – The small bridge is going to be replaced with a culvert and anticipate it will be done in the 2024 construction season. PADOT is requesting the detour to be on township roads. The Supervisors were in agreement with this request.
- **Holiday Schedule** – Supervisor Powanda stated during the budget process he would like the Board to consider making Veterans Day a holiday on the schedule.

SUBDIVISION/PLANNING

None

SUBDIVISION EXTENSION

None

COMMUNICATIONS

- Copy of the ARB Delinquent Account Report is enclosed.

ANNOUNCEMENTS

Budget meetings are scheduled for Monday, October 14th & Tuesday, October 15th at 6:00 p.m.

The next WTMA (water) meeting will be held on Thursday, October 24, 2019 at 6:30 p.m.

The next board of Supervisors meeting will be held on Thursday, October 24, 2019 at 7:00 pm.

EXECUTIVE SESSION (if needed)

ADJOURNMENT

A motion was made by James Roma and seconded by Thomas Powanda to adjourn the meeting at approximately 9:19 p.m. **No public comment received.**

All ayes

Respectfully submitted,

Richard Sichler
Manager/Secretary