

**WASHINGTON TOWNSHIP BOARD OF SUPERVISORS
MINUTES
JULY 22, 2021**

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, Tom Unger, Systems Design Engineering, Township Manager, Richard Sichler, Township Secretary, Susan Brown, and approximately eighteen (18) residents in attendance.

Absent: None

Chairman Moyer announced an Executive Session was held this evening to discuss land use and a personnel matter.

TAPING OF MEETING

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

SPECIAL REQUEST

PUBLIC COMMENT

Steve Sharrow, 918 Main Street, Bally, expressed concerns regarding the proposed development of the property located next to his property as most of the property is wetlands.

Christine Howeter, also expressed concerns regarding the Mingey property being wetlands as well as traffic and Section 8 housing. Chairman Moyer stated at this point Mr. Mingey has made no official plan submission to the township and the settlement agreement has only been received today.

Paul Quigley, stated all the Mingey property is wetlands with the exception of about 3 acres.

Dave Isett, said according to Wendy Mutter of Bally Borough, under the proposed agreement the front half of the property will need to be commercial and the back half of the property will be 55+ community. This is the same proposal made to Bally several years ago and they ended up with Section 8 housing. What will stop him from doing the same thing? This will drive property values down for the neighbors. Ms. London stated there is nothing to stop the development from Section 8 housing however it is age restricted for 55 and over. Chairman Moyer stated when Mr. Mingey brings a plan

before the board he will be treated fair just like any other land owner. It was also stated Mr. Mingey has already moved large areas of dirt at this location and has diverted water toward neighboring properties without a permit.

Doug Stetler, Limekiln Road, asked if LTL could investigate if the wetlands have been disturbed. LTL will contact Mr. Mingey to schedule a time to inspect the property. Ms. London explained if in fact a wetlands delineation shows it is wetlands Mr. Mingey will have very limited development potential for that piece of land.

Ed Meitzler, asked how is this proposal going to impact the traffic through the 900 block of Main Street, Bally. It's proposed as a single access from Route 100 and an emergency access from Route 100 at 1606 Main Street property subject to permitting and approval by PADOT. Ms. London explained a vote will take place tonight on the settlement contingent upon the party's written settlement agreement.

Mr. Sharrow, explained there is a recorded easement for a manhole placed at his garage which he believes Mr. Mingey will want to use to make his sewer connection.

Laura Pagotto, Spring Valley Village, thanked the Supervisors for the new sound system installation. As a hearing-impaired person, it has made it much easier for her to hear at the meetings.

Peg Stuart, Spring Valley Village, asked what R-2 Suburban Residential Zoning means. Ms. London explained it allows for expansion of residential development, provides for higher density residential development upon the provision of off-site sewage disposal and/or water supply systems, to guide moderate density development into those areas which are best served by the local transportation network and certain permitted uses and special exception uses. Ms. Stuart stated there are 7 or 8 cars parked on the residential property along Ehst Road. Mr. Moyer stated he believes the entire strip of land is non-conforming use and will have the township manager check on this. Supervisor Roma asked if Ms. Stuart would fill out a complaint form which would allow the Zoning Officer to check on this matter. Ms. Stuart stated she could.

APPROVAL OF MEETING MINUTES OF JUNE 24, 2021

A motion was made by David Moyer and seconded by James Roma to approve the minutes of the regular meeting of June 24, 2021 as prepared. **No comments received.**

All aye

TOWNSHIP REPORTS

A motion was made by Thomas Powanda and 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 July 22, 2021, and to file the treasurer's report for audit. **No comments received.**

All ayes

TAX COLLECTOR

Tax Collectors Report for the month of June 2021:

Real Estate Tax	\$ 19,118.97
Interim Tax	\$ 219.12
Light Tax	\$ 49.00

Per Capita Tax	\$ 121.00
Amusement Tax	\$ <u>9,008.16</u>
Total	\$ 28,516.25

FIRE CHIEF'S REPORT

A copy of the Eastern Berks Fire Department Report is in the binders. Chairman Moyer announced the annual fund drive is underway, please consider helping out. Ms. Stuart asked if some fund drive envelopes could be given to the Spring Valley Community so they could have them available at their community meetings.

ZONING/SEO REPORT

Reports are in the binders

SEWER ENGINEER'S REPORT

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

- The Hydraulic Plant Rerate was submitted to PADEP for review and comment.
- 1574 County Line Road sewer connection-A revised plan was submitted by All County & Assoc. Rich will check to make sure this was submitted to SDE.

Public Comment:

Laura Pagotto, Spring Valley, asked if anyone is planning on increasing the volume of the treatment plant now. Is the township in the process of developing a plan so that it can be increased? It was explained at this point the township is in the process of obtaining a plant rerate to gain some capacity and if the Edison Walk development moves forward the developer will be paying for the plant expansion. Ms. Pagotto stated the township needs to start the process now and have something in place. Chairman Moyer said we are waiting on the rerated however we will not go any further until we receive a response from PADEP.

TOWNSHIP ENGINEER

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

- John reported he checked on the status of Lazy-K Campground and found them to be operating within compliance of approved plans
- Edison Walk Subdivision revised plan has been submitted and will be reviewed by the Planning Commission at their August 5th meeting.
- Traffic Impact Study was submitted to the township in June which shows the majority of the traffic impact is on Route 100 and Old Route 100 however there are entrances/exits on Barto Road and Stauffer Road as well. Mr. Weber suggested a Traffic Engineer review the portions of the traffic study that applies to the Township. A motion was made by James Roma and seconded by Thomas Powanda authorizing the recommended Traffic Engineer to review the Edison Walk Traffic Study at a rate of \$155 per hour. **No comments received.**

All ayes

- A preconstruction meeting was held on Monday, for the road project on Lane and Moyer Roads. It is expected the FDR will take two (2) days and the paving will be the second week in August.

SOLICITOR'S REPORT

- Ms. London reported a court hearing was held on July 8th for the Minge litigation and reached an agreement to settle the three pieces of litigation. A motion was made by David Moyer and seconded by Thomas Powanda approving the agreement to settle the three cases based upon allowing the land uses described as follows: The Old Route 100 property which would be 32 townhome units with public water and sewer with geotechnical studies to confirm no conflict with underground mine shafts, Stauffer Road property with two twin homes a total of 4 units with public sewer and private on-site water, 1606 Main Street property including up to 48 age restricted 55+ townhomes with public water and public sewer, single access from Route 100 and emergency access from Route 100 subject to permitting approval from PADOT and Kutztown Road/Schwenkfelder Road property allowing 37 single family homes on the Kutztown Road property together with an additional emergency access to Kutztown Road, maintaining the existing farmhouse on approximate 45 acre parcel and deed restricted from subdividing and development and 3 single family homes on farm estate lots on Schwenkfelder Road, deed restricted from further subdivision and development, contingent upon the parties entering into a written settlement agreement approved by this Board and by the Court. **No comments received.**

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

- Edison Walk Open Space - Prestige Property Partners agreement. A motion was made by David Moyer, seconded by Thomas Powanda approving the acquisition by Prestige Property Partners and transfer to the Township of 26.55 of 28 acres of the Rose Gross property to meet township open space requirements with the remaining land used for 3 ½ acre building lots. **No comments received.**

All ayes

SUPERVISORS
UNFINISHED BUSINESS

- **PADOT Ehst Road/Route 100 stormwater issue-*No progress***
- **Gehring Road open space tract – *No progress***
- **Barto Road straightening – *ongoing***
- **Personnel Policy – *No action***
- **Public Works building –** A motion was made by James Roma to accept the proposal from Earth Engineering Inc. to conduct a field test boring investigation, laboratory testing and preparation of a Geotechnical Report for a cost of \$5,975.00 prior to the placement of a pole building, with there being no second to the motion, motion failed. Mr. Unger asked if he should proceed with the construction of the pole building. Chairman Moyer stated he would like to go

with a steel building because it will be a better building for \$168,000. Equipment may need to be put in storage this winter until a building can be constructed. Supervisor Powanda stated the recycling building is costing the township money and suggested putting an addition on the recycling building and using it for additional storage for equipment. Chairman Moyer suggested getting pricing on a hoop building to use for storage. Rich will get some pricing on hoop buildings.

- **Basketball court paving project** – The paving has been completed, new nets have been installed and replaced backboards. Rich is looking for a fencing contractor to replace a pole and also getting pricing on the court coating.
- **2021 Road Project** – E.J. Breneman is scheduled to be on site Monday to start the FDR. The Roadcrew, with the help of Douglas Township, will pave the second week in August. The township roller is not sufficient for this job and it was suggested renting a 10-ton roller with Douglas Township and share the cost. A motion was made by David Moyer and seconded by Thomas Powanda authorizing the rental of a 10-ton roller for the Lane and Moyer Road project not to exceed \$1,100. **No comments received.**

All ayes

- **Pied Piper sewer billing relief request** – Bally Borough can shut the water off for a \$100 fee. Chairman Moyer said they need to pay the bill to get it to current status and proposed charging the non-connect fee for the 4 edu's at \$415 for each edu upon disconnection of the water service. When the water service is reconnected the edu's will be charged at full price.

NEW BUSINESS

- **PA Sunshine Law, House Bill No. 1069** – This will be effective at the end of August. The biggest change is we must be careful in the preparation of the agenda's, we are not allowed to vote on any spending that wasn't in an advertised agenda. There are also additional requirements for how to post agendas.
- **Resolution 2021-19 Celebrating U.S.A.** – A motion was made by James Roma and seconded by Thomas Powanda adopting Resolution No. 2021-19 endorsing the Commonwealth effort to celebrate 250th Anniversary of the U.S. A. **No comments received.**

All ayes

- **Temporary Road Use Permit-Enbridge** – Enbridge has a one-year project starting 8/1/21 to 11/1/22 to upgrade the compressor station on Forgedale Road. There will be approximately 50 to 100 trucks per day. Enbridge has offered to enter into a temporary road use permit and will repair the roads to the condition they were in prior to the start of the project. A video survey of Barto Road and Lenape Road has been done and a copy will be provided to the township. An addition to the agreement is monthly road inspections to be conducted by the Township Roadmaster and the Enbridge Project Manager with interim repairs performed by Enbridge as needed. A motion was made by Thomas Powanda and seconded by James Roma approving the Temporary Road Use Permit for Barto Road and Lenape Road with the addition as outlined above. **No comments received.**

Thomas Powanda – aye

James Roma – aye

David Moyer - abstained

- **PADOT Agility Contract** – PADOT asked if they could use Lenape Road as part of the detour for Forgedale Road bridge. The Roadmaster asked PADOT and asked if they would consider oil and chipping the section of Lenape Road from Endurance Lane to the intersection of Lenape and Forgedale Road. PADOT has agreed to oil & chip and they would like to enter into an agility contract which would state for the use of Lenape Road PADOT would be oiled and chipped and repair potholes as needed and would do the work tomorrow. A motion was made by David Moyer and seconded by Thomas Powanda authorizing PADOT to oil & chip from Lenape Road to Forgedale Road to Endurance Lane.
- **American Rescue Plan Act of 2021** – Rich explained the first half of the funds were received and deposited into the General Fund in the amount of \$225,000. A new bank account needs to be established and the money transferred from the General Fund into the new account. A motion was made by David Moyer and seconded by James Roma authorizing the establishment of a new bank account for the American Rescue Act of 2021 and for those funds in the amount of \$225,000 to be transferred from the General Fund to the American Rescue Act of 2021. **No comments received.**

All ayes

Public Comment

Doug Stetler, asked what that money can be used for? It was explained there are very specific guidelines for the use of the funds but the money cannot be used for road work/repair.

SUBDIVISION/PLANNING

None

SUBDIVISION EXTENSION

A motion was made by David Moyer, seconded by Thomas Powanda granting the following subdivision extension:

Rose A. Gross **8/15/21 to 11/12/21**

No comments received.

All ayes

COMMUNICATIONS

- Copy of the ARB Delinquent Account Report is enclosed.

Chairman Moyer said he would like to thank the office personnel who worked on the start up of Xpress Bill Pay. Since the implementation of the credit card system the ARB delinquent accounts have been reduced by approximately 22%.

Mr. Moyer also thanked the Roadmaster for approaching PADOT with respect to the oil and chip of Lenape Road.

ANNOUNCEMENTS

The next board of Supervisors meeting will be held on Thursday, August 26, 2021 at 7:00 pm.

EXECUTIVE SESSION

ADJOURNMENT

A motion was made by James Roma and seconded by Thomas Powanda to adjourn the meeting at approximately 8:50 p.m. **No public comment received.**

All ayes

Respectfully submitted,

Susan J. Brown
Township Secretary