

**WASHINGTON TOWNSHIP BOARD OF SUPERVISORS
MINUTES
DECEMBER 15, 2022**

CALL TO ORDER: Chairman Moyer called the regularly scheduled meeting of the Washington Township Board of Supervisors to order at 7:08 p.m., at the Washington Township Municipal Building. The meeting opened with the Pledge of Allegiance.

ROLL CALL

The following members were present: Supervisors, Chairman Moyer, Thomas Powanda, Romnie Long, Solicitor, Joan London, Esquire; John Weber representing LTL Consultants, Tom Unger, Systems Design Engineering, Township Secretary, Susan Brown, Township Treasurer, Melissa Swanson and seventeen (17) residents in attendance.

Absent: Township Manager, Richard Sichler

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 taping the meeting this evening.

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

Chairman Moyer amended the agenda for this evening to include the Camp Camino Conditional Use decision.

PUBLIC HEARING

Public Hearing to amend the Code of Ordinances Intergovernmental Agreements to add Article VIII.

A motion was made by David Moyer, seconded by Thomas Powanda adopting Resolution No. 2022-25 amending the Code of Ordinances , Chapter 7, creating a new Article VIII entitled Pottstown Area Regional Recreation Committee and approving the entry of Washington Township into the intergovernmental cooperative.

All ayes

SPECIAL REQUEST

Camp Camino request to modify terms of agreement – Mr. Roger Lehmann was present this evening representing Mr. Pierce Keating. Mr. Lehmann said there are several items they would like the Board to consider this evening. The first item is a request to allow Mr. Keating to assume the rights under the Mingey settlement agreement as it relates to the parcels he currently owns or will own in the future. The Solicitor stated the Board of Supervisors have no objection to the assignment of the agreement

Motion made by Rommie Long, seconded by Thomas Powanda authorizing to enter into the agreement subject to the finalization of the agreement.

All ayes

The next request is to allow for the subdivision of approximately 11 ½ acres to separate Mr. Keating's residence from the Camp. A Plan showing the dividing line was submitted to the township.

A motion was made by David Moyer and seconded by Thomas Powanda allowing the subdivision of land as requested.

All ayes

Roger stated the agreement requires Mr. Keating to have preliminary plans submitted to the township by April 5, 2023 for the thirty-seven (37) lot single family dwelling unit subdivision. Mr. Keating is requesting an extension of time to submit preliminary plans for a period of five (5) years. The Solicitor explained the Board is willing to give a brief extension of approximately 60 days.

A motion was made by David Moyer and seconded by Thomas Powanda granting an amendment to the settlement agreement granting a one-time extension of time from April 5, 2023 to June 6, 2023 for the submittal of the preliminary plan to the township.

All ayes

Roger also requested to work with the township Solicitor on an agreement that would allow for a building permit to be issued for the guest barn to allow the renovations to begin while working through the sewage disposal issues which he would be doing at his own risk and no occupancy permit would be issued until the sewage issue is taken care of. Ms. London stated the Board of Supervisors are not willing to allow this request which is too much of a departure from the usual policy to issue a building permit without a means of sewage disposal.

Prestige Properties request to modify terms of Minge Agreement – Roger Lehmann was present representing Prestige Properties this evening. This request is concerning the proposed 32 townhomes located at Old Route 100 and Barto Road. The request is for an extension of time to file the plans which must be filed by April 5, 2023 and Prestige is requesting an extension through 2023 due to the required Bog Turtle study which needs to be completed for the parcel. The study must be conducted between the period of April 15th through June 30th and would like to get the study completed prior to the final engineering. Ms. London said the Board of Supervisors has considered the request of an extension and will extend until June 6, 2023.

A motion was made by David Moyer, seconded by Thomas Powanda granting a one-time extension from 4/5/23 to 6/6/23.

All ayes

PUBLIC COMMENT

Alex Bruckner, spoke about the proposed speed humps on County Line Road. Mr. Bruckner has concerns regarding the speed humps. Mr. Bruckner stated he is in charge of the traffic safety unit in Montgomery County and stated the PADOT guidelines should be followed for the installation of speed humps. Mr. Bruckner stated according to the data the speed limit on County Line Road should be increased to 45 mph. Mr. Bruckner stated some people will slow down for the speed humps but some people will not which will create more of a hazard. Mr. Bruckner is at the bus stop three times per day at County Line & Avalon and stated he never thought speeding was an issue.

Dona Bean, 42 Avalon Circle, said she looked at the results of the study and felt the speed humps were not going to be installed based upon the study results however the decision was made to ignore the PADOT requirements and to go ahead with the speed hump installation anyway which is why she is here tonight. Ms. Bean voiced her concerns regarding the speed humps and why she feels the speed humps should not be installed. Ms. Bean also stated she walks along County Line Road at different times of day and has never felt unsafe.

Anthony Merolle, 6 Compton Way, asked if there are alternate options to the speed humps, such as stop signs. And second, why are school buses stopping to pick up children on County Line Road if it is so dangerous. Chairman Moyer explained you can not use stop signs for speed control and also said he had previously contacted Boyertown Transportation Service and they were going to change the bus stop. Chairman Moyer said he will contact them again to have the bus stop moved to inside the development.

Ms. Bean asked if the bus stop is moved will the township reconsider the installation of the speed humps and Mr. Moyer stated yes, he would reconsider his decision.

Roger Lehmann, Prestige Property three lot subdivision on Passmore Road – sewer capacity requirements. Mr. Lehmann asked Tom Unger when the CAP would be lifted from the Weinstein Pump Station service area. Mr. Unger stated the semi-annual report to PADEP is due by the end of January and intend on requesting the lifting of the CAP at that time. Mr. Unger believes there is justification for the lifting of the CAP. Mr. Lehmann also stated the subdivision cannot be completed without EDU's and at this time there are no EDU's available. In order to complete the subdivision at Old Route 100 and Barto Road there is a need for 32 EDU's and is questioning where the township will be getting the EDU's that are needed. Mr. Unger stated upon release of the CAP there will be 75 EDU's per the Chapter 94 Report, 50 of those are purchased and have been allocated which leaves 25 remaining and 32 are needed. Ms. London stated Prestige will be entering into, not only a reservation agreement, but also a plant expansion agreement to pay for expansion of the WWTP and would come online as Edison Walk is being developed. Mr. Lehmann stated phase 1 of Edison Walk will come online at the same time as the 32 townhomes so they will be short the number of EDU's needed. Chairman Moyer stated the plant will be expanded when the money is put up for the expansion and the EDU's will not be available until that time.

APPROVAL OF MINUTES OF THE REGULAR MEETING OF NOVEMBER 17, 2022

A motion was made by Thomas Powanda and seconded by Romnie Long to approve the meeting minutes of the November 17, 2022 meeting as prepared.

All ayes

TOWNSHIP REPORTS

A motion was made by David Moyer and seconded by Romnie Long 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 December 15, 2022, and to file the treasurer's report for audit.

All ayes

TAX COLLECTOR

Tax Collectors Report for the month of October 2022 presented by Tax Collector, Brenda Braidigan:

Real Estate Tax	\$ 1,080.78
Per Capita Tax	<u>\$ 533.50</u>
Total	\$ 1,614.28

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.

- **Influent Pump Station** – the Primex control panel delivery is scheduled for February 23, 2023.

TOWNSHIP ENGINEER

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

- **2023 Road Project** – John met with the Township Manager and the Roadmaster on the project site last week. Based on the gathered information the specifications and bid package have been prepared to encompass Meitzler Road and Washington Road from Meitzler Road to Weinsteiner Road for full depth reclamation. The project will be advertised next week for bid opening on January 23, 2023 and potential award of the project at the January 26th meeting.
- **Clover Hill Escrow Release** – Request received in the amount of \$125,813.80 the recommended release amount is \$78,980.40. Motion made by David Moyer, seconded by Romnie Long granting the Clover Hill escrow release in the recommended amount of \$78,980.40.

All ayes

SOLICITOR'S REPORT

- **Prestige Property Partners sewage service agreement** – this is close to being finalized
- **Ambler Savings, bank resolution** – Motion made by David Moyer, seconded by Thomas Powanda adopting Resolution No. 2022-26 authorizing the transfer of township funds to accounts at Ambler Savings Bank and designating authorized signers.

All ayes

- **Prestige Properties, agreement for maintenance costs of stormwater facilities related to PADOT Highway Occupancy permit** – A motion was made by Thomas Powanda and seconded by Romnie Long authorizing the execution of the Prestige Properties Stormwater Facilities Agreement as prepared by the Township Solicitor.

All ayes

- **Camp Camino Conditional Use decision** – The Conditional Use hearing was held last month for the conversion of two barns. The approval conditions are as follows:
 1. Use, occupancy and facilities will be consistent with the application and accompanying materials, and the evidence and testimony presented at the hearing.
 2. The use and occupancy must be in accordance with all applicable ordinances, statutes, and regulations, and that Applicant will procure all required permits and approvals for the use, including but not limited to land development approvals, if needed; Zoning Permits; Building Permits; and well and sewage disposal permits. Applicant, specifically, shall demonstrate adequate water supply and sewage disposal to the Township.
 3. The Guest Barn and Gathering Barn shall be utilized for Keating's personal, family and household purposes, and shall not be used for any business or commercial purpose.
 4. The Guest Barn, Gathering Barn, and existing farmhouse, or any part thereof, shall not be leased to any individual or entity, and shall not be utilized for any short-term or long-term rental.
 5. Applicant shall provide a driveway access of sufficient width to accommodate emergency vehicles.
 6. This determination shall run with the land, and shall be binding upon Applicant, and Applicant's heirs, assigns, administrators, and successors in interest.
 7. The above finding of facts and conclusions of law are hereby incorporated by reference as though set forth herein at length.

A motion was made by David Moyer, seconded by Romnie Long granting the approval subject to the conditions as outlined.

All ayes

SUPERVISORS

UNFINISHED BUSINESS

- **County Line Road, traffic calming** - Already address this evening
- **Barto Road straightening project** – A PA One Call has been placed
- **Nighttime sign audit** – ongoing
- **Barto Park Playground equipment** – the problem has been corrected.
- **Public Works garage project** – Pioneer Pole Building has submitted a price quote of approximately \$100,000. This is not the entire project price. Mr. Unger has contacted Earth Engineering but has not received a response yet.
- **Public Works position/hiring** – Candidate has been sent for a pre-employment physical.
- **Administrative Assistant/hiring** – The candidate has gone for pre-employment physical and is ready to begin work on December 19th. A motion was made by Romnie Long and seconded by David Moyer authorizing the hiring of the Administrative Assistant replacement for Tina Orff.

David Moyer – aye

Romnie Long – aye

Thomas Powanda - abstained

- **Parks and Open Space Plan** – The Township has entered into the Agreement with PARRC
- **Removal of tree adjacent to Barto Park** - ongoing
- **Adoption of 2023 Budgets, setting of real estate tax & sewer rate** – There will be no real estate tax increase and there will be a sewer rate decrease of \$73.16 per year or \$300 per quarter effective January 1, 2023. A motion was made by Romnie Long, seconded by Thomas Powanda approving the Township General and Sewer Budgets for 2023.

All ayes

- **Setting of 2023 Tax Rate** – A motion was made by David Moyer and seconded by Thomas Powanda adopting Resolution No. 2022-27 setting the Real Estate Tax Rate for 2023.

All ayes

NEW BUSINESS

- **Revised Recreation Advisory Committee meeting schedule** – Request to change monthly meeting schedule from the 3rd Monday to the 2nd Tuesday of each month. A motion was made by David Moyer, seconded by Romnie Long granting the meeting schedule change for the Recreation Advisory Committee for 2023.

All ayes

- **Extension of Road Use Permit/Inspection Agreement with Texas Eastern** – Motion made by Thomas Powanda and seconded by Romnie Long granting the extension of the Road Use Permit & Inspection Agreement with Texas Eastern.

Thomas Powanda – ayes

Romnie Long – aye

David Moyer - abstained

SUBDIVISION/PLANNING

None

SUBDIVISION/LAND DEVELOPMENT EXTENSIONS

Motion made by Romnie Long, seconded by Thomas Powanda granting the following Land Development extension:

J.D. McGovern **01/05/23 to 04/05/23**
All ayes

Motion made by David Moyer, seconded by Romnie Long granting the following subdivision extension:

D’Angelo Minor Plan **01/04/23 to 04/04/23**
All ayes

Motion made by David Moyer, seconded by Romnie Long granting the following subdivision extension:

Edison Walk **12/30/22 to 04/29/23**
All ayes

COMMUNICATIONS

- Copy of the ARB Delinquent Account Report is enclosed.

ANNOUNCEMENTS

Reorganization meeting will be held Tuesday, January 3, 2023 at 5:30 p.m.

The next board of Supervisors meeting will be held on Thursday, January 26, 2023 at 7:00 pm.

Public Comment

Richard Mingey, asked if there will be discussion tonight regarding the request to amend the intergovernmental sewer agreement with Bally Borough. Mr. Unger reported a letter was submitted to Bally Borough requesting the amendment. Mr. Mingey asked what areas will be included in the new plan. Mr. Unger stated the request was made to amend the agreement to match the Washington Township Act 537 Plan. Mr. Mingey said the Act 537 Plan does not encompass some of the proposed areas serviced by the sewer agreement. Mr. Unger suggested taking a look at the exhibit. Mr. Mingey will have his attorney follow up with Ms. London on this matter.

Chairman Moyer wished all a Merry Christmas and Happy New Year!

EXECUTIVE SESSION

None needed

ADJOURNMENT

A motion was made by Thomas Powanda, seconded by Ronnie Long to adjourn the meeting at approximately 8:18 p.m.

All ayes

Respectfully submitted,

Susan J. Brown
Township Secretary