

**WASHINGTON TOWNSHIP BOARD OF SUPERVISORS
MINUTES
JANUARY 26, 2023**

CALL TO ORDER: Chairman Powanda called the regularly scheduled meeting of the Washington Township Board of Supervisors to order at 7:00 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 Powanda, David Moyer, Romnie Long, Solicitor, Joan London, Esquire; John Weber representing LTL Consultants, Tom Unger, Systems Design Engineering, Township Manager, Rich Sichler, Township Secretary, Susan Brown, and eighteen (18) residents in attendance.

Absent: None

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.

SPECIAL REQUEST

John Backenstose, Clover Hill – Mr. Backenstose stated the Clover Hill development is built out with the only remaining item is the basin on lot #6. Mr. Backenstose is requesting dedication with basin escrow. Mr. Weber said there would need to be a separate agreement with security to complete the basin and this would be executed along with the deeds of dedication.

A motion was made by David Moyer, seconded by Romnie Long authorizing the preparation of the escrow agreement for the basin located on lot #6 in the Clover Hill Subdivision in the amount of \$10,000.

All ayes

PUBLIC COMMENT

James Mains, 54 Avalon Circle, stated he has been a resident since 2020 and is requesting to get the ball rolling to get some type of police coverage for the township. Mr. Mains said it is only a matter of time before the State Police begin charging residents for coverage. Mr. Mains would like to see either a regional force or a force started in Washington Township. Mr. Mains said the wait time for the State Police is unacceptable. Mr. Mains provided research material to the Board for consideration.

**APPROVAL OF MEETING MINUTES OF DECEMBER 15, 2022 & THE
JANUARY 3, 2023 REORGANIZATION MEETING**

A motion was made by David Moyer and seconded by Romnie Long approving the meeting minutes of December 15, 2022 and January 3, 2023 as prepared.

All ayes

TOWNSHIP REPORTS

A motion was made by Romnie Long 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 January 26, 2023, and to file the treasurer’s report for audit.

All ayes

TAX COLLECTOR

Tax Collectors Report for the month of December 2022 presented by Tax Collector, Brenda Breidigan:

| | |
|-----------------|------------------|
| Real Estate Tax | \$ 4,446.66 |
| Interim Tax | \$ 2,391.77 |
| Per Capita Tax | \$ <u>935.00</u> |
| Total | \$ 7,773.43 |

Exonerations for Per Capita tax year 2022 were submitted for consideration. A motion was made by Romnie Long and seconded by Thomas Powanda approving the Exoneration Per Capita tax bills for 2022.

All ayes

FIRE CHIEF’S REPORT

A copy of the Eastern Berks Fire Department and Bally Ambulance reports is enclosed.

Chief Mutter reported the 2022 year ended with 502 calls and thanked the Township for their continued support. Chief Mutter stated they are still in negotiations with the church and the property owner on the parcel of land they wish to purchase to construct a new fire station. Chief Mutter explained EBFD has recently been called to the Washington Inn by automatic alarm and have had trouble gaining access to the building. The Chief explained other local municipalities have a Knox Box Ordinance and is requesting the Township enact an ordinance that any commercial establishment with an automatic alarm system in the township have a Knox Box so the fire department is able to gain access to the property. Information was provided to Rich along with a sample ordinance. The boxes would be purchased and installed by the property owner however the fire department would come out to make sure the box works and possibly tour the facility. In addition, they have recently come out with red address signs at a cost of \$10. The red color indicates there is something different at this location such as accessibility issues, handicapped resident, etc. Romnie suggested putting this information in the township newsletter.

Chief Mutter also expressed concern regarding trees overhanging on Route 100 near Mill Street.

Rich thanked the EBFD for providing the township with a gas meter which has been used for the past few weeks.

ZONING/SEO REPORT

Reports are in the binders.

SEWER ENGINEER'S REPORT

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

- **Request to Bally Borough to amend Intergovernmental Sewage Agreement** – Bally Borough is requesting to not only revise the service area but also to update the sewer agreement. Mr. Unger stated he is also the Engineer for the Borough of Bally and Bally did not have an issue with SDE representing the borough and wanted to put this on record as a conflict.

A motion was made by Romnie Long, seconded by Thomas Powanda to waive the conflict for SDE to represent Washington Township and Bally Borough for the Sewage Agreement.

All ayes

Motion made by David Moyer, seconded by Romnie Long authorizing Mr. Unger to work with the Solicitor on the agreement with the Borough of Bally.

All ayes

- **PADEP closure of Weinstein Corrective Action Plan** – Semi-annual report filed with PADEP and provided documentation for the Consent Order Agreement to be closed. PADEP upon their review accepted the request and responded there are no connection restrictions to the pump station and the Corrective Action Plan is considered closed.
- **WWTP purchase of pump & charger for gas meter** – There is a sample pump available for the gas meter which Rich would like to purchase as well as a wall charger. A motion was made by David Moyer and seconded by Romnie Long authorizing the purchase of a sample pump and wall charger not to exceed \$550.

All ayes

- **WWTP cleanup of Aluminum Chloride building** – Over the years there have been spills with absorbent material being put down. The material must be cleaned up and new totes installed. Rich has obtained price quotes for the cleanup.

A motion was made by David Moyer and seconded by Romnie Long authorizing the clean up of aluminum chloride by Elk Environmental Services with a cost not to exceed \$6,000.

All ayes

TOWNSHIP ENGINEER

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

Mr. Weber reported the Eddinger Land Development Plan was accepted by the Planning Commission to be reviewed at the March Planning Commission meeting.

- **2023 Road Project bid opening** – Two bids were received and opened on Monday. One bid was from EJ Breneman in the amount of \$125,396.50 and the second bid was from Recon Construction Services in the amount of \$93,571.25. A motion was made by David Moyer, seconded by Romnie Long awarding the 2023 Road Project to Recon Construction Services in the amount of \$93,571.25

subject to their submission of the required Payment Bond, Performance Bond and Certificate of Insurance.

All ayes

- **Barto Road straightening project** – comments were received back from Buckeye Pipeline and responded to their comments and resubmitted plans to them. The Plans were resubmitted to the Berks County Conservation District for the NPDES Permit and a temporary construction easement will be needed from Padre Pio for installation of temporary erosion and sediment control facilities for which Joan has prepared an agreement.

A motion was made by Ronnie Long, seconded by David Moyer authorizing the execution of the temporary construction easement agreement with National Centre Padre Pio.

All ayes

Chairman Powanda announced an Executive Session was held earlier this evening to discuss legal matters.

SOLICITOR'S REPORT

- **Prestige Property Partners sewage service agreement** – The agreement has been prepared with the final version included in the agenda packet. This is for both the reservation of capacity for phase 1 of the Edison Walk development as well as for Plant expansion. There will be a meeting on 2/1/23 regarding the schedule of connections and the availability of edu's.

A motion was made by David Moyer and seconded by Ronnie Long authorizing the execution of the Sewer Service Agreement between Washington Township and Edison View Partners.

All ayes

- **Prestige Properties, agreement for maintenance costs of stormwater facilities related to PADOT Highway Occupancy permit** – Prestige has requested the Township to sign the applicant authorization for the agent to apply for Highway Occupancy Permit. The prepared agreement indemnifies the township for any costs or liability.

A motion was made by Ronnie Long, seconded by Thomas Powanda authorizing the execution of the agreement for maintenance costs of stormwater facilities related to PADOT Highway Occupancy Permit.

All ayes

- **Washington Pub wastewater citation appeal** – There was a hearing held in December for sewage violations. Mr. Satiro has filed an appeal and that hearing will be held on March 7th at 1:30 p.m. courtroom #9 at the Berks County Courthouse.
- **Mingey Settlement Agreement amendment** – Some of the properties have been purchased by third parties the settlement agreement needs to be assigned to those

parties and needs to be amended to reflect those parties being subject to the settlement agreement.

Motion was made by David Moyer and seconded by Ronnie Long to execute the stipulation to amend the settlement agreement.

All ayes

- **Mingey Settlement Agreement partial assignment to Camp Camino** – The partial assignment of the settlement agreement to the parties who purchased the properties which would be Camp Camino and Prestige Properties. No action is needed at this time.
- **Property rental ordinances/short term rentals and rental inspections** – Ms. London has provided a sample ordinance to the Board of Supervisors for their review.

SUPERVISORS

UNFINISHED BUSINESS

- **County Line Road, traffic calming** – Mr. Moyer spoke with Boyertown Transportation to see if the bus stop location will be changed. They indicated there will be no change. Mr. Moyer suggested parents attend the schoolboard meeting.
- **Nighttime sign audit** – ongoing
- **Public Works garage project** – Updated price quotes have been received for the building and also for boring and soil testing. A motion was made by Ronnie Long, seconded by David Moyer accepting the price quote from Earth Engineering Inc. in the amount of \$6,175 for project coordination and management, field investigation, laboratory testing and analysis and report preparation.

All ayes

Dave has been talking with Precise Concrete regarding poured 4-foot walls which the building would be placed or built upon. After some discussion it was decided to go with the steel building rather than a pole building. A motion was made by Thomas Powanda authorizing SDE to draft plans for the construction of the Public Works building, motion seconded by David Moyer.

All ayes

- **Public Works position/hiring** – The position has been filled however there is another budgeted position which would be half time at WWTP and half time at Public Works. The Board would like to move ahead to fulfill the position. Rich will check availability and get back to Board Members.
- **Appointment of Herbein + Company** – Motion made by Ronnie Long and seconded by Thomas Powanda authorizing the advertisement of Herbein + Company as the Township Auditing Firm for the 2022 Audit.

All ayes

Mr. Moyer stated the township has elected Auditors and asked the Solicitor what their function is and does the township need appointed and elected auditors? Ms. London explained the Board of Auditors shall not audit, settle or adjust the

accounts of the township audited by the appointed auditing firm. The duties of the elected auditors are to set the compensation for current year Supervisors employed by the township. Rich said the auditors have made a request of the Board of Supervisors to attend the presentation of the 2022 audit results by Herbein. After some discussion it was stated the audit review is done in a public meeting and the elected auditors may attend the meeting if they so desire.

NEW BUSINESS

- **Enbridge Road Use Permit extension** – A motion was made by Romnie Long, seconded by Thomas Powanda authorizing the extension of the Enbridge Road Use Permit through 2023.
Romnie Long-aye
Thomas Powanda-aye
David Moyer-abstained
- **Road Occupancy Permit, Stauffer Road** –This is related to a sewer main installation on Stauffer Road for a fee of \$295.50. A motion was made by David Moyer, seconded by Romnie Long authorizing the Road Occupancy Permit for Spring Valley Village at Stauffer Road.
All ayes
- **Brush Chipper purchase** – The Chipper would be gas powered with a winch attachment. A motion was made by David Moyer, seconded by Romnie Long authorizing the purchase of the Morbark Eeger Beever 1415 Brush Chipper in the amount of \$64,321.53.
All ayes
A motion was made by Romnie Long, seconded by Thomas Powanda authorizing the sale of the old chipper on Municibid with a starting bid of \$1,500.
All ayes
- **Right of way removal of ash trees, scope/budget/purchasing** – Brian has been obtaining price quotes for the removal of dead ash trees at identified locations within the township. The quotes are approaching \$100,00 and this is an expense that is not budgeted. Brian said the trees on Wilt Road should be taken down first and Weisstown Road should be second . Rich suggested to finish up identifying hazardous trees and give more thought to where the wood can be left. Break the project up into areas and also look into funding of the project. A motion was made by David Moyer and seconded by Romnie Long authorizing setting a budget of \$7,500 for emergency tree removal and approving a quote from Dallas Tree Service of \$5,100 for the removal of six (6) trees on Wilt Road.
All ayes
- **2023-2024 Costars Road Salt Contract**-table until next month
- **File cabinet purchase for active subdivision plans** – A motion was made by David Moyer, seconded by Thomas Powanda authorizing the purchase of a lateral file cabinet from Quill in the amount of \$1,044.99.
All ayes
- **Recreation Committee revised meeting date** – so noted
- **General Code proposal for codification services** – This project is estimated to take about one (1) year. A motion was made by Romnie Long and seconded by

David Moyer accepting the proposal from General Code for codification of the township code book.

All ayes

- **Pottstown Health & Wellness grant application** – Rich has been working with the consultant and reported there is a window opening up for grant applications for a 50/50 grant for ADA accessibility. The letter of intent would include the guiderail, engineering, PADOT permit for the crosswalk, installation of crosswalk and ADA pads around benches and tables in the park system. A motion was made by David Moyer and seconded by Thomas Powanda authorizing the Manager to submit the letter of intent and work on the scope of the project.

All ayes

- **Montco Fence quote for Barto Park fence repair** – The damaged fence is due to a fallen ash tree. This has been submitted to the insurance company and they indicated this is likely covered with a \$500 deductible. Motion made by Ronnie Long, seconded by David Moyer authorizing the repair to the fence in Barto Park at the basketball court by Montco Fence Co. in the amount of \$3,979.

All ayes

SUBDIVISION/PLANNING

Schwenkfelder Minor Plan/Kelly Group Builders – Mr. Mingey is looking for conditional final approval for both minor subdivision plans. The Schwenkfelder Road Minor Plan is creating three (3) separate farmstead lots that are part of the settlement agreement.

Waiver request

A motion was made by Thomas Powanda and seconded by David Moyer granting the three waiver requests listed on the December 5, 2022 letter from Wilkinson Associates.

All ayes

Planning Waiver & Non-Building Declaration

Motion made by David Moyer, seconded by Ronnie Long to approve the request for Planning Waiver and Non-Building Declaration for Sewage Facilities.

All ayes

Approval of Plan

Motion made by David Moyer and seconded by Ronnie Long granting conditional Final Plan approval subject to items listed in the December 22, 2022 LTL Review letter.

All ayes

Kutztown Road Minor Plan/Shadeland Development

Waiver request

A motion was made by David Moyer and seconded by Ronnie Long granting the two (2) waiver requests listed on the December 5, 2022 letter from Wilkinson Associates.

All ayes

Planning Waiver & Non-Building Declaration

Motion made by Ronnie Long, seconded by Thomas Powanda to approve the request for Planning Waiver and Non-Building Declaration for Sewage Facilities.

All ayes

Approval of Plan

Motion made by David Moyer and seconded by Thomas Powanda granting conditional Final Plan approval subject to items listed in the December 22, 2022 LTL Review letter.

All ayes

Easement Agreements lots 2 & 3 – Easement Agreements have been reviewed and the Engineer has reviewed the legal descriptions.

SUBDIVISION/LAND DEVELOPMENT EXTENSIONS

Motion made by Ronnie Long, seconded by Thomas Powanda granting the following subdivision extension:

Stauffer Road Minor Plan 02/01/23 to 05/02/23

All ayes

Mr. Mingey stated one of the Planning Commissions concerns is edu’s for the sewer connections. Mr. Mingey stated he requested about a year ago to purchase the four (4) edu’s and would like to know if he should come in now to purchase those edu’s? Mr. Unger stated the Township will review the request and respond at the next meeting.

COMMUNICATIONS

- Copy of the ARB Delinquent Account Report is enclosed.

ANNOUNCEMENTS

The next board of Supervisors meeting will be held on Thursday, February 23, 2023 at 7:00 pm.

EXECUTIVE SESSION

None needed

ADJOURNMENT

A motion was made by Thomas Powanda, seconded by David Moyer to adjourn the meeting at approximately 9:06 p.m.

All ayes

Respectfully submitted,

Susan J. Brown
Township Secretary