

**BOARD OF SUPERVISORS**  
**MINUTES OF MONTHLY MEETING**  
**JANUARY 13, 2009**

The monthly meeting of the Longswamp Township Board of Supervisors was held at the Longswamp Township Municipal Building, 1112 State Street, Longswamp Township, Mertztown, Pennsylvania, 7:30 p.m., prevailing time as previously advertised and posted.

**PLEDGE TO THE FLAG ROLL CALL**

Officials Present: Donald Siegfried, Chairman; Steven Wyka, Vice Chairman; Maryann Lantz, Supervisor; Jill Smith, representing the Engineer; Jill Nagy, Esquire, representing the Solicitor; Joni McPike, Treasurer; Ed Bender, Zoning/Codes Enforcement Officer; and Jennifer Wassell-Bonser, Secretary.

**CALL TO ORDER**

Chairman Donald Siegfried called the meeting to order at 7:35 p.m., and announced the reading of the minutes of the regular meeting of December 23, 2008, would not take place. Draft copies of those minutes were available in the Meeting Hall.

**APPROVAL OF MEETING MINUTES**

Maryann Lantz made a **motion** to approve the Minutes of the regular meeting of December 23, 2008; Steve Wyka seconded that motion. All in favor.

Maryann Lantz made a **motion** to approve the Minutes of the Re-Organization Meeting of January 5, 2009; Steve Wyka seconded that motion. All in favor.

**APPROVAL OF TREASURER'S REPORT**

None at this time.

**ANNOUNCEMENTS**

Chairman Donald Siegfried announced the Township Auditor's Meeting was held at 6:30 p.m. at the Township Conference Room prior to the regular Board of Supervisors Meeting.

**PUBLIC COMMENTS**

**Mr. Mike Sacks** thanked the Township for the recent installation of the "School Zone" signs at the Longswamp Township Elementary School and commented on the location of the signs and the lack of advanced warning for the reduced speed. The Township Secretary indicated that the location of the signs was per direction received from PennDOT. The Board of Supervisors asked the Township Engineer to review the issue to see if additional signage could be added, such as school zone ahead signs, to provide drivers with more advanced notice of the speed restriction.

**ENGINEERING AND PLANNING COMMISSION REPORT**

**Resolution 2009-2, Accepting Fee Schedule of Hanover Engineering Associates**

The Township Engineer thanked the Board of Supervisors for appointing Hanover Engineering as the Township Engineer and the Engineering Fee Schedule Resolution was presented to the Board of Supervisors for their signature.

**Resolution 2009-3, Establishing Onlot Sewage Disposal System Permit Application Fees**

Chairman Siegfried noted the acceptance of the Onlot Sewage Disposal System Permit Application Fees at the Re-Organization Meeting which was held on January 5, 2009 and Resolution 2009-3 was presented to the Board of Supervisors for their signature.

### **Locust Street Speed Limit**

The Township Engineer notified the Board of Hanover's review of the existing conditions on Locust Street with respect to the speed limit and confirmed the street does not meet the criteria of an Urban District. Jill Smith added that in order for the Township to post the road at a speed limit of less than 55 mph, an engineering and traffic study would need to be conducted and passed by ordinance.

Steve Wyka made a **motion** authorizing Hanover Engineering to perform a traffic survey and the Township Solicitor to prepare a draft ordinance for Locust Street speed limit; Maryann Lantz seconded the motion. All in favor.

### **Golden Meadows Phase II – Revised Record Plan**

The Township Engineer updated the Board of Supervisors on the status of the Revised Record Plan which was submitted by the Developer for the Golden Meadows Phase II Subdivision. The Township Engineer reviewed her comments from Hanover's latest letter dated January 8, 2009. The Township Solicitor has reviewed the access notes (Notes 35 and 36) and issued a letter dated January 12, 2009 providing her comments. The Township Engineer noted that the Property Owners have, at this time, met the requirements of the Zoning Violation previously issued and that compliance is conditioned upon satisfactorily addressing the outstanding comments provided by the Township Engineer and Solicitor and recording the Revised Plans within 30 days after approval by the Township Board of Supervisors.

### **Mayo Trust**

The Township Engineer addressed a letter the Township received from The Mayo Trust regarding flooding problems at 200 Barclay Street. In the letter, they state they have tried to correct the problems themselves in order to keep flood water from entering a building on the property. They are requesting a solution from the Township in order to make the property habitable. The Township Engineer provided the Board with maps showing that the majority of the property including the building is located in the 100-year floodplain. Chairman Siegfried noted that this problem has existed since the structure was built and further noted that the Township has delivered fill to the property in the past. The Township Solicitor confirmed the Township has no obligation to complete any improvements at the site, particularly since there does not appear to be anything the Township can do to provide any measurable improvement. The Board authorized the Township Secretary and Township Zoning Officer to prepare a response letter to the Owners. Donald Siegfried lastly offered to have the Township Road Foreman conduct a site visit to the property and offer his suggestions and comments regarding the issue.

Donald Siegfried addressed a question raised by **Willard Strunk** a few weeks ago in reference to the status of the Little Lehigh Creek Bridge Replacement Project located on State Street.

Chairman Siegfried informed Mr. Strunk of a report the Township recently received from the Reading Area Transportation Study Technical Committee which stated that Phase II archaeology work is still ongoing. Mr. Siegfried also noted there has not been any direct response from PennDOT as follow-up to the Township's recent written request for updated information.

## **ZONING AND CODES ENFORCEMENT**

### **New State Sprinkler Requirement**

The Zoning Officer explained the new state sprinkler requirement requiring fire sprinklers in all new one- and two-family residences beginning January 1, 2011. Ed Bender explained the code and the potential impact it would have on the construction of new homes. Ed encouraged the public to send correspondence to our legislatures in order to have the U.C.C. Review and Advisory Council take action to eliminate the new sprinkler requirement. Chairman Siegfried directed Ed to continue researching the new requirement. The Township Solicitor noted this new requirement may force Townships to opt out of the requirement.

The Zoning Officer also submitted to the Board of Supervisors the Zoning Office statistics for 2008 consisting of total number of permits issued for the year as well as phone calls received and resident visits to the Zoning Officer.

## **SOLICITOR'S REPORT**

### **Rental Ordinance**

The Township Solicitor submitted a draft Resolution for Establishing Rental Permit Fees and Regulations for Rental Permit Administration for the Board's review. She also distributed a memorandum addressing comments received from the Code Enforcement/Zoning Officer and providing clarification on issues. The Solicitor noted that the current draft requires landlords to apply for a rental permit and inspection every three years at a cost of \$75 for up to two units and \$50 for three or more units. The Solicitor advised the Board of Supervisors that they could consider reduced fees for boarding houses as suggested by the Code Enforcement/Zoning Officer but the Township should ensure the fees cover all administration costs of enforcing the Rental Ordinance. In addition, the Solicitor raised concerns and advised against the Code Enforcement/Zoning Officer's recommendation to require registering only the units being occupied and to provide a reduced permit fee for units occupied by a family member. Chairman Siegfried directed the Zoning Officer and Treasurer to look into a formula for covering administration fees for boarding houses prior to the next Board of Supervisors Meeting so the Ordinance can be adopted.

### **Atlas Minerals and Chemicals**

The Township Solicitor and Engineer updated the Board of Supervisors on the status of the Atlas Minerals and Chemicals plans for recording and reviewed Hanover's letter dated January 7, 2009 listing a few outstanding issues which need to be addressed by the Developer prior to the Township signing and releasing the plans for recording. The Township Solicitor noted that she has prepared a Covenants and Restrictions Agreement to be executed and recorded between Atlas and the Township stating the conditions of the Conditional Use approval and Final Plan approval.

The Township Engineer informed the Board of Supervisors of Hanover's review of Atlas Minerals and Chemicals documents currently on file at the Township Office as follow-up to a recent concern of air testing at Atlas Minerals. The Township Solicitor informed the Board it is

her understanding that DEP has found no violations requiring an air permit and that any odors emitted from the site are not VOC odors. The Solicitor added that Atlas will continue to forward the Township all reports and offered a representative to answer any questions the public may have. Jill Nagy also confirmed that DEP and Atlas is aware of the Township's concerns and that she will continue to monitor any forwarded reports and correspondence to the Township. Steve Wyka questioned the recent newspaper articles and their validity. The Township Solicitor confirmed the articles were based on speculation and modeling. Jill Nagy also added that Atlas will be sending their 2007 AIMS Report in the near future and will forward the 2008 report when it has been completed.

### **Hunsicker's Grove**

The Township Solicitor informed the Board of Supervisors that she will be meeting with Christine Sadler to discuss plans for Hunsicker's Grove. Steve Wyka clarified that the Township is only interested in the plan of leasing Hunsicker's Grove if they are able to have soccer fields.

### **RECREATION REPORT**

Donald Siegfried announced the January Park & Recreation Meeting is cancelled and the next meeting is scheduled for Tuesday, February 17, 2009 at 7:00 p.m.

### **ROADMASTER REPORT**

Report for December, 2008.

### **OLD BUSINESS**

#### **Brandywine Community Library Board Representatives Appointment**

Donald Siegfried announced the appointments of two Brandywine Community Library Board Representatives and thanked everyone who submitted their interest in the appointment.

Steve Wyka questioned **Neil Conrad** on emergency responder's requirements for address number signs for residences in the Township. Neil clarified that the emergency responders recommend address numbers be placed on mailboxes, but if it's a cluster of mailboxes then they would prefer to have the house identified with numbers. Neil concluded by stating Township residents should do what they see fit based on their individual circumstance. Donald Siegfried suggested simply using common sense when it comes to addressing buildings within the Township.

**Willard Strunk** questioned if emergency responders could use GPS systems to respond to an emergency call. Chairman Siegfried commented that GPS systems are only as good as the map they're linked to.

The Township Solicitor informed the Board of Supervisors of a question recently posed to her office regarding a Township resident who does not his address listed. The Board of Supervisors suggested discussing this matter in Executive Session.

### **NEW BUSINESS**

#### **CFA Funding (Act 63/H2O)**

The Township Engineer addressed a memo received from the Berks County Planning Commission regarding new funding for water and sewer projects and added that there is

currently grant money available for projects that are permitted and “ready to go”. The Township Solicitor indicated that she will be attending a meeting in order to gather more information on the grants available.

#### **Township Employee Educational Training Request**

Maryann Lantz made a **motion** to approve a training request made by a Township Zoning Hearing Board Member, Preston Boyer, to participate in a “Zoning Administration Course” Program to be held on three evenings at the Center for Community Leadership at Albright College costing \$110.00 plus travel time and expenses; Steve Wyka seconded the motion. All in favor.

#### **Request for Approval to Exonerate Tax Collector to Collect Taxes – per Capita 2006 (\$10)**

Maryann Lantz made a **motion** approving the Tax Collector’s request for exoneration for Per Capita Tax (2006) in the amount of \$10; Steve Wyka seconded the motion. All in favor.

#### **Request for Approval to Exonerate Tax Collector to Collect Taxes – per Capita 2008 (\$20.20)**

Maryann Lantz made a **motion** approving the Tax Collector’s request for exoneration for Real Estate Tax (2008) in the amount of \$20.20; Steve Wyka seconded the motion. All in favor.

#### **Request for Approval to Exonerate Tax Collector to Collect Taxes – per Capita 2008 (\$20.43)**

Maryann Lantz made a **motion** approving the Tax Collector’s request for exoneration for Real Estate Tax (2008) in the amount of \$20.43; Steve Wyka seconded the motion. All in favor.

#### **Approval for Township Employee Attendance at Annual PSATS Convention**

Maryann Lantz made a **motion** for approval for Township employees to attend the annual PSATS Convention in Hershey, PA at a total approximate cost of \$1,537.00; Steve Wyka seconded the motion. All in favor.

#### **Approval of Long, Barrell 2009 Auditor Engagement Letter**

Maryann Lantz made a motion authorizing the signature of the 2009 Auditor Engagement Letter for Long Barrell Co., Ltd.; Steve Wyka seconded the motion. All in favor.

#### **RECORD NOTES**

None at this time.

#### **APPROVAL OF BILLS**

Maryann Lantz made a **motion** to approve processing for payment, bills totaling \$122,266.63 and transfers totaling \$99,130.92; Steve Wyka seconded that motion. All in favor. Roll Call Vote: Maryann Lantz, Yes; Don Siegfried, Yes; Steve Wyka, Yes.

#### **BOARD COMMENTS**

Maryann Lantz reminded everyone of Bill Hennessey’s upcoming presentation regarding wind turbine power at next Monday evening’s EAC Meeting.

Chairman Siegfried recommended cancelling the Board of Supervisors Meeting scheduled for

January 27, 2009 and meeting again the second week of February. Steve Wyka made a **motion** to cancel the next Board of Supervisors Meeting and to meet again the second week of February, that is February 10, 2009; Maryann Lantz seconded the motion. All in favor.

**ADJOURNMENT**

Steve Wyka made a **motion** to adjourn the meeting at 9:08 p.m.; Maryann Lantz seconded the motion. All in favor.

Respectfully submitted,

Jennifer A. Wassell-Bonser  
Township Secretary