

BOARD OF SUPERVISORS
MINUTES OF MONTHLY MEETING
OCTOBER 9, 2018

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, 7:00 p.m., prevailing time as previously advertised and posted.

PLEDGE TO THE FLAG/ROLL CALL

Officials Present: Michael Sacks, Chairman; Randy Sicher, Vice Chairman; Joyce Marin, Supervisor; Sean Summers, representing the Solicitor; Jill Smith, representing the Engineer; Steve Wyka, representing the Operations Administrator; David Fatzinger, Treasurer; Jennifer Wassell-Bonser, Secretary/Administrator; John Yoder, representing the Zoning/Codes Enforcement Officer.

CALL TO ORDER

Chairman Mike Sacks called the meeting to order at 7:00 p.m. and announced the reading of the minutes of the regular meeting of September 25, 2018 would not take place. Draft copies of the minutes were available in the Meeting Hall.

APPROVAL OF MEETING MINUTES

Randy Sicher made a **motion** approving the Minutes of the regular meeting of September 25, 2018 as presented; Joyce Marin seconded the motion. All in favor.

APPROVAL OF TREASURER'S REPORT

The Township Treasurer reviewed the Treasurer's Report for the month of September, 2018 as presented for the Board of Supervisor's further review. The Treasurer's Report for the month of September, 2018 indicated \$1,143,009.03 total Township General Funds for the period; \$660,831.41 total Township Additional Funds for the period; for a total of \$1,803,840.44 in Total Account Funds for the period.

Randy Sicher made a **motion** accepting the Treasurer's Report for the month of September, 2018 subject to further audit; Joyce Marin seconded the motion. All in favor.

Long & Barrell 2018 Audit Service Proposal

Randy Sicher made a **motion** to accept the proposed Financial Audit Engagement Letter Agreement for the year ending December 31, 2018 for the Township at a quoted fee not to exceed \$10,500.00 with the Township Auditors, Long and Barrell; Joyce Marin seconded the motion. All in favor.

Verification of Compliance and 2018 Annual Municipal Volunteer Fire Relief Contributions – Topton & Seisholtzville

The Board of Supervisors agreed upon the percentage share of the Commonwealth of Pennsylvania's Firefighters Relief Allocation contribution for 2018 at a percentage share of 85% (totaling \$26,334.30) for the Topton Volunteer Fire Company and a percentage share of 15% (totaling \$4,646.23) for the Seisholtzville Volunteer Fire Company.

ANNOUNCEMENTS

Chairman Sacks announced that an Executive Session of the Board of Supervisors was held from 6:00 p.m. to 7:00 p.m. prior to the Board of Supervisors Meeting to discuss litigation.

Chairman Sacks also announced the 2019 Budget Workshops are scheduled to be held on Tuesday, October 23 and Thursday, November 1, 2018 at 6:30 p.m. in the Township Meeting Room.

PUBLIC COMMENTS

Ms. Courtney Headdings addressed the Board of Supervisors relative to an invoice she received for a Zoning Hearing recently held for a variance request. Courtney informed the Board that she paid \$700.00 upon submitting the application for a Zoning Hearing and is concerned that she incurred additional charges largely due to several e-mail exchanges from Zoning Hearing Board Member, Mark Story to the Zoning Hearing Board Solicitor. Courtney expressed her frustrations that the final billing she received is almost twice as much as the original application submission fee. Courtney requested the Board's consideration of waiving the additional fees and suggested the fee structure to reflect any charges beyond the original submission fee for Zoning Hearing applications.

Randy Sicher made a **motion** waiving the additional billing totaling \$1,280.18 for the Headdings/Romig Zoning Hearing; Joyce Marin seconded the motion. All in favor. The Board of Supervisors also directed the Township Solicitor to review the procedural structure with the Zoning Hearing Board members.

Courtney Headdings also informed the Board of Supervisors about an "invitation-only" Facebook page which addresses Township issues, including Zoning Hearings. Courtney informed the Board that Zoning Hearing Board Member, Mark Story, has posted insulting comments and personal opinions on the page, specific not only to her hearing, but other hearings as well. Courtney expressed concern and frustration regarding the Facebook comments, stating that personal opinions regarding hearings by members of the Zoning Hearing Board, should not be posted on Facebook. It was noted for the good of the record that it is unprofessional to post personal opinions regarding township business on social media outlets. The Township Solicitor explained that the Board of Supervisors does not regulate the actions of the Zoning Hearing Board or its members, since it is a separate body from the Supervisors; however, the Board of Supervisors requested that Courtney leave copies of the postings for their further review.

ENGINEERING AND PLANNING COMMISSION REPORT

First Energy/Met-Ed Road Use and Maintenance Agreement

The Township Engineer updated the Board on the status of the Road Use and Maintenance Agreement for the First Energy/Met-Ed Power Line Project. Jill Smith noted that the Agreement has been sent to the Legal Department at First Energy/Met-Ed. Jill also noted that up to this point the work being done in conjunction with the project does not appear to have impacted the Township roadways. Jill stated that based on her discussion with the Township Roadmaster, the project may be up to one-third completed at this time. Jill suggested the Board's consideration to authorize the Township Solicitor's Office to send a letter to Met-Ed in order to expedite execution of the Agreement. The Board confirmed that they will wait for another update at the November Meeting prior to sending a letter to First Energy/Met-Ed.

SEO REPORT

Chairman Sacks informed the audience that the deadline for Cycle 3 of the Sewage Management Program is now in effect until December 31, 2018.

LTL Consultants, Ltd. Report for September, 2018

Chairman Sacks reviewed the activities as noted in the Sewage Enforcement Officer's Report for the month of September, 2018.

ZONING AND CODES ENFORCEMENT

LTL Consultants, Ltd. Report for September, 2018

The Township Zoning Officer reviewed the activities as noted in the Zoning and Codes Enforcement Report for September, 2018. John Yoder noted a specific on-going issue at 20 Walker Road which the property owners have been unresponsive to complying over the past year-and-a-half. John confirmed that he will continue pursuing the issue.

740 State Street – Zoning Ordinance/Building Code Violations – Civil Suit Filing

The Township Zoning Officer reviewed details relative to a site meeting held with the property owners of 740 State Street as previously directed. John Yoder stated the meeting, held on Tuesday, October 2, 2018, included a staff member from LTL Consultants, the Animal Control and Humane Officer, along with a representative from the Animal Rescue League, and a representative from the Berks County Conservation District in addition to Steve Wyka. John explained that the property owners have cleared some trees and cut them up for firewood as part of clearing the land for agricultural purposes but no commercial no timber harvest has taken place. John stated that the Conservation District has instituted a deadline of December 31, 2018 for correcting storm water runoff issues and that they will educate the property owners regarding the process in order to bring compliance.

Several neighbors in attendance at the meeting expressed their continued concerns and frustrations regarding the issues at 740 State Street. Residents confirmed that there have been several large fires on the property after dark which have been left smoldering overnight. Residents also reviewed details related to the amount of increased stormwater runoff onto their properties containing debris from the fires.

John Yoder also reviewed details regarding the animal housing and confirmed that the property owners will be erecting additional shelters and buildings for housing small animals in order to comply with the Township Zoning Ordinance. John confirmed that he will re-evaluate the burning issue and educate the property owners on the rules for burning within the Township. The Board of Supervisors agreed to cite the property owners with the violations of the Township's Burning Ordinance, as well as any continued zoning violations, if they do not come into compliance with all applicable Township Ordinances by the Board's November 13, 2018 Meeting.

The Board of Supervisors also reviewed details of a potential problem with a pipe in the vicinity of 740 State Street which may also be a contributing factor to the increased run off problem in the area. The Township Engineer stated that she will review the situation with the Township Roadmaster.

SOLICITOR'S REPORT

Action Alert on House Bill 2564

The Township Solicitor suggested the Board wait for more details on House Bill 2564 which would preempt municipalities from managing wireless facilities in the public rights-of-ways.

Randy Sicher made a **motion** authorizing the Township Solicitor to send a letter to the Township's political representatives requesting more detailed information on House Bill 2564 if it has not passed yet; Joyce Marin seconded the motion. All in favor.

RECREATION REPORT

Chairman Sacks announced the October August Park & Recreation Meeting is scheduled to be held at 7:00 p.m., Tuesday, October, 16, 2018 as previously advertised.

Chairman Sacks announced that Trick-or-Treat Night will be observed in the Township from 6:00 p.m. to 8:00 p.m. on Wednesday, October 31, 2018.

Chairman Sacks also announced the Pumpkin Hunt will be held starting at 6:00 p.m. on Saturday, November 3, 2018 and invited anyone interested in volunteering to attend the event.

Steve Wyka notified the Board of Supervisors that Savidge Farms has requested the Board's consideration of allowing them to donate their portion of Amusement Tax profits, totaling approximately \$400.00, from a recent event held at their venue to be donated to the Brandywine Community Task Force.

Randy Sicher made a **motion** authorizing the Amusement Taxes collected for the recent event held at Savidge Farms to be donated to the Brandywine Community Task Force; Joyce Marin seconded the motion.

ROADMASTER REPORT

Chairman Sacks reviewed the activities as noted in the Roadmaster Report for the month of September, 2018.

OLD BUSINESS

None at this time.

NEW BUSINESS

PSAT's 2019 Ballot for Election of Trustees

Randy Sicher made a **motion** accepting PSAT's Trustee Candidates, Shirl Barnhart and Lester Houck, for the 2018 Ballot for Election of Trustees of the PSAT's Unemployment Compensation Group Trust, Pennsylvania Municipalities Pension Trust, and Pennsylvania Townships Health Insurance Cooperative Trust; Randy Sicher seconded the motion. All in favor.

APPROVAL OF BILLS

Joyce Marin made a **motion** to approve processing for payment, bills totaling \$182,958.24 and transfers totaling \$35,786.22 for the period of September 12, 2018 through October 9, 2018; Randy Sicher seconded that motion. All in favor.

Vote: Joyce Marin; Yes; Randy Sicher, Yes; Mike Sacks, Yes

ADJOURNMENT

Randy Sicher made a **motion** to adjourn the meeting at 8:10 p.m.; Joyce Marin seconded the motion. All in favor.

Respectfully submitted,

Jennifer A. Wassell-Bonser
Township Secretary