

BOARD OF SUPERVISORS
MINUTES OF MONTHLY MEETING
MARCH 9, 2010

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

CALL TO ORDER

Chairman Steven Wyka called the meeting to order at 7:01 p.m., and announced the reading of the minutes of the regular meetings of January 26, 2010 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 January 26, 2010; Mike Sacks seconded that motion. All in favor.

APPROVAL OF TREASURER'S REPORT

Mike Sacks made a **motion** to accept the Treasurer's Report for the months of January and February, 2010 in addition to accepting the current Accounts Receivable Status Report; Maryann Lantz seconded the motion. All in favor.

ANNOUNCEMENTS

Chairman Wyka announced there was an Executive Session of the Board of Supervisors held from approximately 6:00 p.m. to 7:00 p.m. prior to this evening's meeting in order to discuss litigation.

Chairman Wyka also announced that the 2010 U.S. Census Bureau Questionnaires are being delivered from March 15 to 17, 2010. Steve encouraged residents to mail back their completed census forms as soon as possible and stressed the importance their role of participating has in the over-all update.

PUBLIC COMMENTS

Mr. Willard Strunk addressed the audience in attendance regarding a recent newspaper article in relation to an age requirement being considered by lawmakers for driving tractors on farms. Mr. Strunk stated his opinions regarding the direction of the country if issues such as these result in laws being considered by legislative leaders. Mr. Strunk stated he is concerned about citizens' rights being taken away and encouraged residents to take these types of matters into consideration when voting. Chairman Wyka thanked Mr. Strunk for his comments.

Ms. Martine Scannavino addressed the Board regarding waiver forms she received in the

mail from the Township Solicitor as follow-up to a recent Board of Supervisors Meeting. Ms. Scannavino raised her concern with the address on her tax bill which doesn't match the current addresses for her two properties.

The Township Zoning Officer reviewed the decision made by the Board at a previous meeting to accommodate residents who were not in favor of changing their addresses to be in proper numerical order. It was agreed that these residents would sign a waiver of understanding acknowledging that the Township is not liable in event of an emergency situation if they opt not to change their address number.

Mr. Scott Swackhamer addressed the Board and voiced his concern of the Township mandating a change of address and the problems it may cause for his family in receiving their mail.

Chairman Wyka clarified that the Township was not mandating a change of address for anyone and reiterated that residents not in favor of a changing their address only needed to sign the waiver so neither the Township nor emergency responders would be held liable in the event of an emergency.

An Executive Session of the Board of Supervisors was held from approximately 7:14 p.m. to 7:20 p.m.

After the Executive Session, Chairman Wyka announced the Township will issue letters to the Berks County 9-1-1 Office, the Post Office, the Township Tax Collector, and the Berks County Tax Assessment Office confirming the addresses will remain unchanged for the Swackhamer and Scannavino properties.

Maryann Lantz made a **motion** authorizing the Township Secretary to send letters to the Berks County 9-1-1 Office, the Post Office, the Township Tax Collector, and the Berks County Tax Assessment Office confirming the addresses for properties owned by Mr. Scott Swackhamer and Ms. Martine Scannavino will remain as previously used by the property owners; Mike Sacks seconded the motion. All in favor.

Jeanne Barrett Ortiz, Municipal Outreach Specialist of the Berks Conservancy, presented a PowerPoint slide show on the Highlands Region to the Board and the audience in attendance. Ms. Ortiz explained the areas of significance and the role Berks County has in the Highlands Region which encompasses 3.5 million acres in Connecticut, New York, New Jersey, and Pennsylvania. She also explained the key elements regarding the intent proposed by the Act for protecting the resources of the Highlands Region and the important impact it has on community character, recreation, farming, public health and safety, and the economy. Ms. Ortiz presented a Resolution In Support of the Highlands Conservation Act for the Board's review and consideration for adoption. Chairman Wyka thanked Ms. Ortiz for her presentation. Mike Sacks made a **motion** adopting Resolution No. 2010-7, In Support of the Highlands Conservation Act; Maryann Lantz seconded the motion. All in favor.

ENGINEERING AND PLANNING COMMISSION REPORT

Township LED Sign

The Township Engineer informed the Board that Hanover Engineering has completed the Bid Contract Documents and Specifications for the LED Message Sign and Sign Support Structure for the Township Municipal Building and distributed draft copies to the Supervisors. Jill suggested the Board's consideration for advertising the Notice to Bidders in the Reading Eagle on Monday, March 15, 2010 and Thursday, March 18, 2010 with a bid opening date for the first Board of Supervisors Meeting to be held on April 13, 2010.

Mike Sacks made a **motion** authorizing Hanover Engineering to advertise the Notice to Bidders for the LED Message Sign and Sign Support Structure in the Reading Eagle on March 15, 2010 and March 18, 2010 with a bid opening date of April 13, 2010 at the Board of Supervisors Meeting; Maryann Lantz seconded the motion. All in favor.

Biundo-Smith Subdivision

The Township Engineer updated the Board of Supervisors on the status of the Biundo-Smith Street Minor Subdivision that is located between State Street and E. Smith Street along the east side of Charles Drive in the Township and bordering Topton Borough. Jill stated conditional final plan approval was granted by the Board on August 8, 2006 and in accordance with her review comments and those provided by the Borough of Topton. Jill Smith noted that she will be issuing a review letter documenting the remaining outstanding issues which need to be satisfied prior to the Final Plan being recorded.

Berks County Perkiomen Creek Headwaters Act 167 Stormwater Plan

The Township Engineer informed the Board that the Berks County Planning Commission is in the final stages of completing the draft of the Phase I process of the Perkiomen Creek Headwaters Act 167 Stormwater Management Plan for submission to DEP by mid-April. Jill stated the County Planning Commission was requesting information from the Township regarding any known stormwater problem areas within the water stream boundary. Jill Smith noted that based on her conversation with the Township Roadmaster, there were no known stormwater problem areas within that portion of the Township.

Mike Sacks made a **motion** authorizing the Township Engineer to respond to Berks County Planning Commission regarding their request for information on any stormwater problem areas in Longswamp Township within the Berks County Perkiomen Creek Watershed and attend the final meeting for the Act 167 Plan as soon as the date is announced; Maryann Lantz seconded the motion. All in favor.

ZONING AND CODES ENFORCEMENT

The Township Zoning Officer informed the Board that Mrs. Violet Robb was granted a variance from the required 30-foot side yard set-back for a proposed new pole building on her property at the recent Zoning Hearing held on Wednesday, March 3, 2010.

Ed Bender updated the Board on the issue of commercial signage at the property of the Alpaca Farms on State Street as still non-compliant with the provisions of the Township

Zoning Ordinance due to the size and quantity of signs. Ed inquired if the Board wanted him to proceed with a Notice of Violation due to the continued violation of the Township Zoning Ordinance. The Township Solicitor suggested the Township Zoning Officer document his findings by taking photographs and forward an N.O.V. Chairman Wyka agreed, otherwise the property owner of the Alpaca Farm could apply for a variance from the Zoning Ordinance.

Maryann Lantz made a **motion** authorizing the Township Zoning Officer to issue a Notice of Violation to the property owner of the Alpaca Farms on State Street due to the continued non-compliance of the Township Zoning Ordinance; Mike Sacks seconded the motion. All in favor.

The Township Zoning Officer updated the Board on Ben Hopko's compliance with an Agreement signed with the Township three years ago and asked for the Board of Supervisor's approval to release his escrow currently being held by the Township totaling \$2,000.00.

Mike Sacks made a **motion** authorizing the release of escrow funds in the amount of \$2,000.00 currently being held by the Township to Mr. Ben Hopko provided Mr. Hopko's compliance as required by the original escrow Agreement signed between himself and the Township; Maryann Lantz seconded the motion. All in favor.

SOLICITOR'S REPORT

Medial Residential Campus Overlay/Planned Industrial Overlay

The Township Solicitor updated the Board regarding the proposed text amendments to the Township Zoning Ordinance including the addition of a Medical Residential Campus Overlay District and eliminating the Planned Industrial Overlay Zoning District. The Medical Residential Campus Overlay is proposed to encompass parcels owned by the Topton Lutheran Home. Chairman Wyka noted that the emergency service providers need to be considered due to the potential strain from the additional growth and encouraged the developer's consideration of the emergency service providers during their progress forward.

Maryann Lantz made a **motion** for the Township Solicitor to forward the draft Ordinance amending the Township Zoning Ordinance and Zoning Map to add a Medical Residential Campus Overlay District and eliminate the Planned Industrial Overlay Zoning District to the Berks County Planning Commission as well as to the Township Planning Commission for their review and comment. The Board also authorized the Township Solicitor to advertise a Public Hearing to be held on April 27, 2010 for the Ordinance and to advertise the Board's consideration for adoption of the Ordinance during the regular Board of Supervisors Meeting that same evening; Mike Sacks seconded the motion. All in favor.

Solar Ordinance

The Township Solicitor presented a draft Solar Ordinance to the Board for their review and consideration. The Ordinance proposes to amend the Township's Zoning Ordinance to include provisions for the regulation of Solar Energy Systems within the Township. Jill explained the different aspects and details included in the draft Ordinance modeled from DEP's Solar Ordinance.

Mike Sacks made a **motion** for the Township Solicitor to forward the draft Solar Ordinance to the Berks County Planning Commission as well as to the Township Planning Commission

and Township Environmental Advisory Council for their review and comment. The Board also authorized the Township Solicitor to advertise a Public Hearing to be held on April 27, 2010 for the Ordinance and to advertise the Board's consideration for adoption of the Ordinance during the regular Board of Supervisors Meeting that same evening; Maryann Lantz seconded the motion. All in favor.

Wastewater Treatment Ordinance

The Township Solicitor presented a draft Wastewater Treatment Ordinance for the Board's review and consideration. Jill explained specific details of the Ordinance which will provide procedures and standards for the application, permitting, maintenance and management of individual sewage systems and community on-lot sewage systems. Jill also explained the different types of systems and the design protocol and permit process necessary, as well as the inspection process regulation controls and criteria for replacement and repair methods. The Township Solicitor stated she plans to meet with the Township Sewage Enforcement Officer and the Township Engineer prior to the April Board of Supervisors Meeting.

Mike Sacks made a **motion** for the Township Solicitor to advertise the Ordinance for the Board's consideration for adoption at the Board of Supervisors Meeting to be held on April 13, 2010; Maryann Lantz seconded the motion. All in favor.

RECREATION REPORT

Chairman Wyka announced the date of the March Park & Recreation Meeting as scheduled for Tuesday, March 16, 2010 at 7:00 p.m.

Steve also reminded the audience in attendance about the Easter Egg Hunt scheduled for Saturday, March 20, 2010 at 11:00 a.m. in the Township Park. Steve encouraged anyone interested in volunteering to help stuff Easter eggs to attend the upcoming Park and Recreation Meeting on March 16, 2010.

Approve 2010 Field Utilization Agreements for BYBA and BGSL

The Board approved and signed the 2010 Field Utilization Agreements for BYBA and BGSL.

ROADMASTER REPORT

Report for January and February, 2010.

Review/Approve Quote for ADS In-Line Bell Pipe

Mike Sacks made a **motion** to approve the purchase of ADS in-line bell pipe at a total cost of \$3,914.80 from Chemung Supply; Maryann Lantz seconded the motion. All in favor.

OLD BUSINESS

None at this time.

NEW BUSINESS

Request for Public Water Supply Permit Application

A discussion was held regarding the Municipal Notification received by the Township for

a Public Water Supply Permit Application for the construction of a community water system. The community water system is being proposed by Mr. Grande and consists of a well, disinfection facilities, water storage tank and pump station to be located at the Estates of Sutherland site, and a second well to be located at The Estates of Briarwood site.

Mike Sacks made a **motion** authorizing the Township Engineer to prepare a Municipal Land Use response letter for review and discussion at the next Board of Supervisors Meeting. The Board also asked the Township Engineer to issue a letter to DEP requesting an extension of the 30-day response time until after the April Board of Supervisors Meeting; Maryann Lantz seconded the motion. All in favor.

Seisholtzville Fire Company 2009 Summary of Incident Calls

The Board reviewed the 2009 Summary of Incident Calls submitted by Seisholtzville Fire Company.

Retroactive Approval of Township Office Furniture Purchase

Chairman Wyka confirmed the Board's retroactive approval for the purchase of office furniture for the Township Office at a total cost of \$1,381.30.

Dutch School – Request for Use of Township Meeting Room

Approval was granted for the use of the Longswamp Township downstairs Meeting Room for Dutch Class every Thursday from 7:00 p.m. until 8:00 p.m. beginning September 2, 2010 until December 9, 2010. There will be a \$10.00 registration fee for each attendee which in turn will be given to the Township in order to cover expenses, such as heat, electric, etc. Mike Sacks made a **motion** to grant approval for use of the Township Meeting Room to the Dutch School; seconded by Maryann Lantz. All in favor.

APPROVAL OF BILLS

Mike Sacks made a **motion** to approve processing for payment, bills totaling \$70,933.30 and transfers totaling \$13,952.40; Maryann Lantz seconded that motion. All in favor.
Vote: Maryann Lantz, Yes; Mike Sacks, Yes; Steve Wyka, Yes.

ADJOURNMENT

Mike Sacks made a **motion** to adjourn the meeting at 8:30 p.m.; Maryann Lantz seconded the motion. All in favor.

Respectfully submitted,

Jennifer A. Wassell-Bonser
Township Secretary