

BOARD OF SUPERVISORS
MINUTES OF MONTHLY MEETING
APRIL 10, 2012

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; Maryann Lantz, Vice Chairman; Steven Wyka, Supervisor; Stephanie Nocera, Esquire, representing the Solicitor; Jill Smith, representing the Engineer; David Fatzinger, Treasurer; and Jennifer Wassell-Bonser, Secretary.

CALL TO ORDER

Chairman Michael Sacks called the meeting to order at 7:00 p.m. and announced the reading of the minutes of the regular meetings of March 13, 2012 would not take place. Draft copies of all those minutes were available in the Meeting Hall.

APPROVAL OF MEETING MINUTES

Steve Wyka made a **motion** approving the Minutes of the regular meeting of March 13, 2012 as presented; Maryann Lantz seconded the motion. All in favor.

APPROVAL OF TREASURER'S REPORT

Chairman Sacks reviewed the Treasurer's Report for the month of March, 2012 as presented for the Board of Supervisor's further review.

Steve Wyka made a **motion** accepting the Treasurer's Report for the month of March, 2012 subject to further review; Maryann Lantz seconded the motion. All in favor.

ANNOUNCEMENTS

Chairman Sacks informed the audience in attendance that the Township EAC will be hosting a fundraiser by selling rain barrels for \$40.00 (rain or shine) on Sunday, April 22, 2012 from 1:00 p.m. to 4:00 p.m. at Pavilion No. 1 at the Township Park. Mike also announced that the Township EAC will be holding the Third Annual Clean and Green Earth Day Clean-Up Event the same day and time as the Rain Barrel Fundraiser.

Chairman Sacks also informed the audience that Berks County is seeking volunteers for helping with a Spring Clean Berks Program which is scheduled to be held on Saturday, May 5, 2012 from 9:00 a.m. to 3:00 p.m. Mike concluded by stating informational hand-outs were available at the podium for anyone interested in any of the events.

PUBLIC COMMENTS

None at this time.

ENGINEERING AND PLANNING COMMISSION REPORT

Response from Pennsylvania Fish & Boat Commission – Mertz Road Bridge Project Update

The Township Engineer reviewed with the Board of Supervisors, a response letter dated March 26, 2012, as received from the Pennsylvania Fish and Boat Commission regarding their review and consideration for clearance for the Mertz Road Bridge Replacement Project. Jill Smith explained there was a PNDI hit for the Eastern Spadefoot Toad requiring follow-up with the Fish and Boat Commission. Jill explained that the project was purposely designed for minimal impact and limited disturbance with the majority of the work being accessed from the roadway. Jill stated that the Fish and Boat Commission is still requiring a survey to be completed for the spadefoot toad by a specialist with documented expertise with the species, and suggested using Brandon Ruhe for the survey. Hanover Engineering received a proposal from Mr. Ruhe of \$750.00 to complete the survey and is recommending that the Township proceed in that direction. Jill stated other options would be to contact the Commission in order to request relief, or have the Fish and Boat Commission review the project site. It was noted that option could delay the project until possibly next Spring, since it may take several months before someone from the Commission would be able to come to the job site. Jill noted that since the cost for the endangered species survey was already included in the project estimate, no further action is required.

Appointment of Township Assistant Code Enforcement Officer for SMP Program

The Township Engineer reviewed responsibilities and duties related to the Township's Sewage Management Program, specifically those concerning the general duties of the Township Sewage Enforcement Officer (SEO), the Alternate SEO, and the SMP Hearing Officer, as well as the administrative duties of the Assistant Code Enforcement Officer.

Maryann Lantz made a **motion** appointing Township Employee, MaryBeth Hendley, Township Assistant Code Enforcement Officer for the Sewage Management Program; Steve Wyka seconded the motion. All in favor.

Well Conservation Ordinance Notifications

The Township Engineer noted that the Board of Supervisors recently adopted an Ordinance requiring property owners to register existing and proposed water supply wells with a design or actual use of over 2,000 gallons per day and to obtain an operating license for any existing or future community well. Jill Smith stated property owners will be required to submit their application to the Township within 90 days upon receipt of their notification. Jill also provided an outline of exemptions, which included water supply wells servicing eleven or less residential dwelling units.

The Board of Supervisors directed the Township Secretary to work with the Township Engineer on sending the notifications to property owners who may have an existing well with a design or actual use of over 2,000 gallons per day.

Act 537 Sewage Facilities Plan Update

The Township Engineer provided the Board of Supervisors with an update on the Act 537 Plan, based on the letter provided by the Township Sewage Facilities Planning Engineer, James Birdsall. Jill also reviewed DEP's recent proposal to provide mediation services between the Township and the Borough and the responsibilities of each party. Jill Smith suggested the Board's consideration of submitting James Birdsall's letter and updated plan to DEP so that they

may update their records.

The Township Solicitor stated that her office will provide the Board of Supervisors with further updates regarding the Borough of Topton's position of accepting dedication and maintenance of the sewer lines within the Township that convey sewer from Longswamp residents to the Topton Wastewater Treatment Plant.

Authorize Adoption of Prevailing Wage Reform Resolution

The Township Engineer provided the Board of Supervisors with details related to PSAT's suggestion that Township's consider adopting a resolution in support of proposed prevailing wage reforms that would increase the threshold for projects needing to pay prevailing wage rates and account for inflation over the past decades.

Maryann Lantz made a **motion** authorizing the adoption of Resolution No. 2012-11, Urging the Pennsylvania General Assembly to Eliminate or Amend the State Prevailing Wage Act, as presented; Steve Wyka seconded the motion. All in favor.

SEO REPORT

Sewage Management Report Update

The Township Engineer provided the Board of Supervisors with an update of activities by the Township Sewage Enforcement Officer as related to the Sewage Management Program.

ZONING AND CODES ENFORCEMENT

LTL Consultants, Ltd. Report for February 24, 2012 to March 27, 2012

Chairman Sacks reviewed the activities as noted in the Zoning and Codes Enforcement Report for the period of February 24, 2012 to March 27, 2012.

Approval to Cite Non-Responsive Rental N.O.V.'s

Steve Wyka made a **motion** authorizing approval for the Township Zoning and Codes Enforcement Officer to cite non-responsive rental enforcements as deemed necessary; Maryann Lantz seconded the motion. All in favor.

SOLICITOR'S REPORT

Adoption of Floodplain Ordinance

Stephanie Nocera, representing the Township Solicitor, reviewed details as outlined in the Floodplain Ordinance. Stephanie noted that approval has been received from the FEMA Regional Office and that the Ordinance meets the requirements of the National Flood Insurance Program. Stephanie explained that FEMA's updated Flood Insurance Study and Flood Insurance Rate Map for the Township will become effective on July 3, 2012 and presented the Ordinance for the Board's final review for consideration of adoption as advertised.

Steve Wyka made a **motion** authorizing adoption of the Floodplain Ordinance No. 270 as presented enacting the new Flood Insurance Rate Maps to comply with the current Federal and State floodplain management regulations; Maryann Lantz seconded the motion. All in favor.

RECREATION REPORT

Chairman Sacks announced the date of the April Park & Recreation Commission Meeting as scheduled for Tuesday, April 17, 2012 at 7:00 p.m. in the upstairs Conference Room of the Township Municipal Building.

ROADMASTER REPORT

Chairman Sacks reviewed the Township Roadmaster's Report for the month of March, 2012 to the audience in attendance.

OLD BUSINESS

None at this time.

NEW BUSINESS

Burning Ban

Fire Chief Randy Sicher, reviewed a Media Release as received from the Berks County Department Emergency Services warning municipalities and fire officials of the heightened risk of wildfires at this time. Randy explained the elevated fire risk is due to the dry weather and windy conditions in the region. Randy stated that Berks County is strongly suggesting municipalities to consider implementing a burning ban until conditions become less ripe for the risk of fire. Randy suggested the Board's consideration to impose an open burning ban refraining residents from open burning of yard debris until conditions improve.

Maryann Lantz made a **motion** imposing a temporary open burning ban within the Township until conditions become less ripe for the risk of wildfires; Steve Wyka seconded the motion. All in favor.

Approval for Affiliate Membership of the Berks County Conservation District

Steve Wyka made a **motion** approving the Township's Affiliate Bronze Membership with the applicable contribution to be made to the Berks County Conservation District; Maryann Lantz seconded the motion. All in favor.

Approval for Agreement with Animal Rescue League of Berks County, Inc.

Steve Wyka made a **motion** authorizing the execution of a one-year Municipal Contract Agreement between the Township and the Animal Rescue League of Berks County, Inc. for providing services and shelter to stray, abused, or injured animals; Mike Sacks seconded the motion. All in favor.

Dutch School – Request for Use of Township Meeting Room

Chairman Sacks reviewed a request that was made by the Pennsylvania Dutch School Group for use of the Township Meeting Room.

Approval was granted for the use of the Longswamp Township downstairs Meeting Room for Dutch Class every Thursday evening from 7:00 p.m. until 8:30 p.m. beginning September 6, 2012 until December 13, 2012. There will be a \$15.00 registration fee for each attendee which in turn will be given to the Township in order to cover expenses, such as heat and electricity.

Steve Wyka made a **motion** granting approval for use of the Township Meeting Room to the Pennsylvania Dutch School Group; seconded by Maryann Lantz. All in favor.

PUBLIC COMMENTS

None at this time.

APPROVAL OF BILLS

Steve Wyka made a **motion** to approve processing for payment, bills totaling \$148,648.91 and transfers totaling \$55,821.51 for the period of March 14, 2012 through April 10, 2012; Maryann Lantz seconded that motion. All in favor.

Vote: Maryann Lantz, Yes; Mike Sacks, Yes; Steve Wyka, Yes.

ADJOURNMENT

Steve Wyka made a **motion** to adjourn the meeting at 7:55 p.m.; Maryann Lantz seconded the motion. All in favor.

Respectfully submitted,

Jennifer A. Wassell-Bonser
Township Secretary