

**BOARD OF SUPERVISORS**  
**MINUTES OF MONTHLY MEETING**  
**APRIL 9, 2013**

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: Maryann Lantz, Chairman; Steve Wyka, Vice Chairman; Michael Sacks, Supervisor; Sean Summers, Esquire, representing the Solicitor; Jill Smith, representing the Engineer; David Fatzinger, Treasurer; and Jennifer Wassell-Bonser, Secretary.

**CALL TO ORDER**

Chairman Maryann Lantz called the meeting to order at 7:00 p.m. and announced the reading of the minutes of the regular meeting of March 12, 2013 would not take place. Draft copies of those minutes were available in the Meeting Hall.

**APPROVAL OF MEETING MINUTES**

Mike Sacks made a **motion** approving the Minutes of the regular meeting of March 12, 2013 as presented; Steve Wyka seconded the motion. All in favor.

**APPROVAL OF TREASURER'S REPORT**

The Board of Supervisors reviewed the Treasurer's Report for the month of March, 2013 as presented for their further review.

Steve Wyka made a **motion** accepting the Treasurer's Report for the month of March, 2013 subject to further review; Mike Sacks seconded the motion. All in favor.

**PNC Loan Proposal**

The Township Treasurer provided the Board with details relative to terms within the Loan Proposal offered by PNC Bank which will enable the Township to consolidate the Township's current debt at a lower interest rate.

Mike Sacks made a **motion** accepting the Loan Proposal with PNC Bank; Steve Wyka seconded the motion. All in favor.

**2012 Annual Audit & Financial Report**

The Township Treasurer informed the Board that the 2012 Annual Audit and Financial Report is complete and available for their further review.

**ANNOUNCEMENTS**

Chairman Lantz announced that the Berks County Solid Waste Authority 2013 Special Waste Collections Schedules are available as hand-outs at the podium for anyone interested.

Chairman Lantz also announced that the Berks County Conservation District will be conducting mosquito surveillance and West Nile Virus monitoring through-out the township over the upcoming months.

Chairman Lantz informed the audience in attendance that the Historical Society is hosting a

calendar photo contest entitled “Longswamp Township Moment”. Maryann invited anyone who may be interested in entering the 2014 Calendar Photo Contest to submit photographs to the Township Historical Society.

Chairman Lantz noted that the EAC will be hosting a Rain Garden Workshop at the Township Park on May 11, 2013 from 9:00 a.m. to 2:00 p.m. Maryann also noted hand-outs are available at the podium for anyone interested in registering.

Chairman Lantz also noted that flyers are available at the podium for anyone that may be interested in attending an Emergency Preparedness Workshop for residents of Berks County.

### **PUBLIC COMMENTS**

None at this time.

### **ENGINEERING AND PLANNING COMMISSION REPORT**

#### **Fenstermacher Feld-3 Subdivision – Release of Escrow**

The Township Engineer informed the Board of Supervisors that the Township has money remaining in escrow for the Feld-3 Subdivision. Jill Smith confirmed through discussion with Scott Miller, Township Roadmaster, that the last outstanding items have been completed. Since the maintenance period has expired, Jill recommended the Board release the final escrow balance of \$2,777.54 deposited with the Township.

Mike Sacks made a **motion** authorizing the release of escrow balance totaling \$2,777.54 to be refunded to Frederick Fenstermacher, developer of the Feld-3 Subdivision; Steve Wyka seconded the motion. All in favor.

#### **Lot Line Adjustment**

**Mr. Bruce Rader**, addressed the Board of Supervisors on behalf of Mr. Jason Danweber to request a waiver for providing a lot line adjustment plan in accordance with the Township’s SALDO requirements. Mr. Rader explained that Mr. Danweber is proposing to purchase a small undeveloped 40’ x 135’ triangular parcel of land at the southeast corner of Tower Road and State Street and combine it with the adjacent tract he currently owns located at 125 Tower Road. Mr. Danweber requested the Board’s consideration to grant a waiver for providing a lot consolidation plan and going through the official review process since he will be combining the two adjacent parcels into one parcel.

The Township Engineer noted that the Township typically requires a plan to be submitted, approved, and recorded in order to consolidate lots. Jill Smith noted she has reviewed this issue with the Township Solicitor and they are both in agreement that because of the unique circumstances of this particular matter, their recommendation is to not require a plan. The Township Solicitor has confirmed with Berks County that the County does not require a plan to be recorded to consolidate parcels in this manner.

Mike Sacks made a **motion** granting a waiver from the Township Subdivision and Land Development Ordinance for providing a subdivision plan for the lot line adjustment as requested by Jason Danweber and allow the property owner to record a deed consolidating the properties; Steve Wyka seconded the motion. All in favor.

#### **Woodside Avenue Driveway**

The Township Engineer reviewed details related to a proposal by a potential property owner

to purchase a parcel on Woodside Avenue and construct a single family dwelling on the land. Jill Smith stated the proposed location of the driveway is on Woodside Avenue which is a State road. Since the Township is on PennDOT's municipal review list, PennDOT requires a letter from the Township before they will issue the driveway permit. Jill noted the potential property owner has contacted PennDOT with the intent of obtaining a Highway Occupancy Permit for access to the property and he has reported to the Township that PennDOT is willing to issue an HOP for the existing driveway provided that a "No Left Turn" sign is erected for northbound traffic on Woodside Avenue due to a limited sight distance. The potential property owner also reported that another driveway entrance can be constructed at a location 25' to 30' from the existing entrance that will meet all sight distance requirements of PennDOT.

The Board of Supervisors discussed the permitting of the existing driveway at 900 Woodside Avenue, which presently serves an existing residence on an adjacent land-locked parcel by way of an easement. The Board agreed the Township's position is that all measures should be taken to assure the safety of motorists is provided and if the driveway can be relocated, that is the Township's preferred option. The Board also noted the Township assumes no liability should PennDOT decide to issue the permit for the driveway at its present location with the turning restriction.

Mike Sacks made a **motion** authorizing the Township Engineer and/or Township Zoning Officer to perform a site visit to review the driveway and authorized a letter be sent on behalf of the Township noting the Township's concerns relative to PennDOT's issuance of a Highway Occupancy Permit for a driveway with turning restrictions for 900 Woodside Avenue; Steve Wyka seconded the motion. All in favor.

### **SEO REPORT**

Supervisor Steve Wyka provided the Board of Supervisors with an update on the status of the Township Sewage Management Program. Steve noted re-occurring requests by property owners of vacant properties to be granted a waiver from pumping within their appropriate cycle. Steve explained that it is the Township Sewage Enforcement Officer's recommendation to perform a site visit on reported vacant properties in order to confirm the vacancy prior to granting a waiver of the SMP Program.

The Board of Supervisors unanimously approved a policy to waive the septic cycle pumping in the event of a reported and confirmed vacant property provided the system was pumped in the prior cycle.

Supervisor Wyka also discussed with the Board a municipal lien that was placed on a property due to non-compliance of the Township Sewage Management Program. Steve explained that the prior property owner of 8664 Hensingersville Road had contacted the Township Office relative to the lien stating that she had sold the property and did not own it at the time the lien was placed.

Steve Wyka made a **motion** authorizing the Township Solicitor to withdraw the lien on 8664 Hensingersville Road associated with a violation of the Township Sewage Management Program; Mike Sacks seconded the motion. All in favor.

### **ZONING AND CODES ENFORCEMENT**

**LTL Consultants, Ltd. Report for February 25, 2013 to March 26, 2013**

Chairman Lantz reviewed the activities as noted in the Zoning and Codes Enforcement Report for the period of February 25, 2013 to March 26, 2013.

### **SOLICITOR'S REPORT**

#### **Utility Petition**

Sean Summers, representing the Township Solicitor, addressed the Board of Supervisors for authorization to allow a law firm specializing in responses to Utility Petitions to prepare a response to a Utility Petition for Special Relief on behalf of the Township for the continued collection of franchise fees received from the Township's current cable provider. Sean stated the cost is approximately \$1,500.00 for the services to be provided to the Township by the firm to negotiate the legal ramifications of the Petition.

Mike Sacks made a **motion** authorizing a specialized law firm to review the Utility Petition for Special Relief and submit a response on behalf of the Township; Steve Wyka seconded the motion. All in favor.

### **RECREATION REPORT**

Supervisor Steve Wyka announced the April Park & Recreation Commission Meeting will be held in the upstairs Conference Room of the Township Municipal Building on Tuesday, April 16, 2013 at 7:00 p.m. as previously advertised.

Steve announced that registrations for the Summer Playground Program will be held on Saturday, May 11<sup>th</sup> and 18<sup>th</sup> and again on Saturday, June 1<sup>st</sup> from 9:00 a.m. to 11:00 a.m.

Steve provided the Board of Supervisors with results and public feedback related to the puzzle tournaments that were hosted by the Park & Recreation Commission over the past several weeks.

Steve also informed the Board that electric service is in the process of being replaced at the snack shack in the Township Park. Steve noted provisions are being made for future field lights as the electric work is being performed.

### **ROADMASTER REPORT**

#### **Approval for Quote to Paint Two Dump Trucks**

Steve Wyka made a **motion** to approve the painting of two dump trucks at a total cost of \$7,921.36 based on the quote received from Ray's Auto Body; Mike Sacks seconded the motion. All in favor.

### **OLD BUSINESS**

None at this time.

### **NEW BUSINESS**

#### **County Wide Police Force**

Chairman Lantz provided the Board with details related to a letter as received at the Township Office inquiring about the Township's stance on a county-wide police force. The Board held a brief discussion relative to the expense that would be incurred to the Township for the county-wide police services. The Board agreed the coverage provided by the Pennsylvania State Police Barracks is adequate for the Township at this time.

Mike Sacks made a **motion** authorizing the Township Secretary to send a written response to the County regarding the Township's stance on a county-wide police force; Steve Wyka seconded

the motion. All in favor.

**Topton American Legion Community Ambulance Service – 2013 Real Estate Tax Forgiveness Request**

The Board of Supervisors tabled a request received by the Township from the Topton American Legion Community Ambulance Service for tax forgiveness of 2013 Real Estate Taxes.

**DEP – Act 101 Recycling Program Performance Grant Award for 2011**

The Township Secretary informed the Board of Supervisors, as well as the audience in attendance, that the Pennsylvania Department of Environmental Protection has awarded the Township grant money totaling \$1,206.00 for participating in the Act 101 Recycling Program Performance Grant which is calculated based on the tonnage of materials recycled in the Township in 2011.

**Signature for 2012 Municipal Recycling Program Performance Grant Application**

The Board of Supervisors authorized signature of the 2012 Municipal Recycling Program Performance Grant Application for submission to PA Department of Environmental Protection.

**APPROVAL OF BILLS**

Mike Sacks made a **motion** to approve processing for payment, bills totaling \$91,848.78 and transfers totaling \$67,283.75 for the period of March 13, 2013 through April 9, 2013; Steve Wyka seconded that motion. All in favor.

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

**ADJOURNMENT**

Mike Sacks made a **motion** to adjourn the meeting at 8:03 p.m.; Steve Wyka seconded the motion. All in favor.

Respectfully submitted,

Jennifer A. Wassell-Bonser  
Township Secretary