

BOARD OF SUPERVISORS
MINUTES OF MONTHLY MEETING
MAY 10, 2016

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

CALL TO ORDER

Chairman Steve Wyka called the meeting to order at 7:00 p.m. and announced the reading of the minutes of the regular meetings of April 12, 2016 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 meetings of April 12, 2016 as presented; Randy Sicher seconded the motion. All in favor.

APPROVAL OF TREASURER'S REPORT

The Township Treasurer reviewed the Treasurer's Report for the month of April, 2016 as presented for the Board of Supervisor's further review. The Treasurer's Report for the month of April, 2016 indicated \$645,385.41 total Township General Funds for the period; \$845,199.66 total Township Additional Funds for the period; for a total of \$1,490,585.07 in Total Account Funds for the period.

Mike Sacks made a **motion** accepting the Treasurer's Report for the month of April, 2016 subject to further audit; Randy Sicher seconded the motion. All in favor.

Adopt Formal General Fund Reserve Fund Reserve Policy

The Township Treasurer noted that based on his research, it is not necessary to adopt a general fund reserve policy since the Township General Fund Account normally has in excess of three to four times the amount required by the terms of the Debt Agreement. Dave noted that the bank is in the process of preparing an addendum to the Agreement executed between the Township and the bank which strikes the requirement to create a reserve policy.

ANNOUNCEMENTS

Chairman Wyka announced the Township Office will be closed on Monday, May 30, 2016 in observance of the Memorial Day Holiday.

PUBLIC COMMENTS

The Board of Supervisors addressed details related to a recent complaint received at the Township Office regarding gunfire coming from a property on State Street on multiple occasions. The Board confirmed that the State Police have investigated the issue and reported that the son of the property owner has been target practicing. The Board also confirmed that the Township Codes Enforcement Officer will verify if there is a backdrop on the target in order to be compliant with state gun regulations.

ENGINEERING AND PLANNING COMMISSION REPORT

PA DOT Swabia Creek Bridge Replacement Project Update

Mr. Steve Roman, a representative with the Swabia Creek Bridge Project, addressed the Board of Supervisors, as well as the audience in attendance, with a review of the proposed bridge replacement Project. Mr. Roman stated the condition of the bridge has deteriorated to the point warranting replacement. Mr. Roman reviewed the proposed construction parameters and in-stream restrictions, noting the construction challenges that the environmental regulations present, requiring the work to be completed from January 1 to February 28. Mr. Roman stated the Penn DOT paving season is April 1st through October 31st, therefore PennDOT will be requesting a stream restriction waiver from DEP, further noting the most efficient way to construct the bridge is with a detour. Mr. Roman reviewed details of the replacement structure proposed for the site and noted that phasing the replacement of the bridge in two phases in order to maintain traffic flow through the work area would not be feasible. It was noted the contractor is in the process of requesting the required stream restriction waiver from PA DEP so the proposed construction can begin in early Spring, 2017 and completed by late Fall. Mr. Roman also reviewed the timeline necessary for the detour plan and noted it will require road closure for five to seven days over the Summer.

The Board of Supervisors agreed that the project can proceed as outlined, including a five to seven consecutive-day road closure and detour. The Board also agreed that the necessary agreements can begin being drafted for execution.

Greater Berks Development – Martin Farm

Attorney Steve Buck addressed the Board of Supervisors with a review of a proposal regarding a plan to construct warehouses to be used for light industrial warehousing on the Martin Farm tract of land owned by Grande Construction. **Mr. Edward Swoyer** stated the developer would need to request zoning relief in order to achieve the project and requested the Board's consideration of an Overlay District since the area is currently zoned residential. Mr. Swoyer also requested the Township's authorization to negotiate with the Borough of Topton to satisfy sewer and water requirements for the intended use. Mr. Swoyer concluded by requesting approval to submit concurrent land development plans during the re-zoning considerations.

Chairman Wyka re-iterated details relative to the Township's recent Act 537 Plan submission which is currently under review by PA DEP. Steve suggested that once the Act 537 Plan is approved and adopted, the proposal of light industrial warehousing could possibly be put on the ballot as a referendum for vote. Steve also stated the Township is currently awaiting a response from the Borough for sewer capacity limits for the Township.

The Township Solicitor and Engineer informed the developer they would need to submit the formal Re-Zoning Request Application with the required fees in order to proceed. The Engineer explained the application would be received by the Township and, if accepted, be forwarded to the Township Planning Commission which in turn will make a recommendation for the Board of Supervisors' consideration. The Township Solicitor concluded by suggesting that everything be submitted in writing so the Board can review and make future decisions based on the Township Professional's advice.

It was noted that numerous members of the audience voiced opposition to the warehousing proposal.

Topton Lutheran Home – Request for Waiver for Land Development Plan Review

Mr. Philip Brath, a representative from Century Engineering, addressed the Board of Supervisors and provided a review of the proposed project at the Lutheran Home at Topton. Mr. Brath explained the project consists of a 1,554 sf addition in the back center of the existing "Old Main" building to provide an accessible entrance with an elevator and stairwell. The project will be a minor improvement to the overall campus with minimal impact to the surrounding properties. Mr. Brath requested the Board's consideration to grant a waiver for the requirement of a formal land development review for the proposed addition to the Old Main building.

Mike Sacks made a **motion** granting a waiver of SALDO Section 301.b, related to the requirement of a full submission of a land development for formal review by the Township; Randy Sicher seconded the motion. All in favor.

SEO REPORT

Chairman Wyka provided a general reminder for the good of the record that Cycle 1 of the Sewage Management Program is now in effect at this time with a deadline of June 30, 2016.

LTL Consultants, Ltd. Report for Month of April, 2016

Chairman Wyka reviewed the activities as noted in the Sewage Enforcement Officer's Report for the month of April, 2016.

Appoint Township Sewage Enforcement Officer

Mike Sacks made a motion to appoint Robert Wuerth, representing LTL Consultants, Ltd., as a Township Sewage Enforcement Officer; Randy Sicher seconded the motion. All in favor.

ZONING AND CODES ENFORCEMENT

None at this time.

SOLICITOR'S REPORT

Karen Miller, addressed the Township Solicitor in order to ask a question relative to condemnation proceedings and the procedure of collecting back-taxes owed by a former tenant who resided in a rental property owned by her family.

The Township Solicitor suggested she would need to clarify what type of taxes are owed and possibly file a court order. Sean Summers stated the Township cannot accept responsibility of condemnation proceedings on behalf of a private property owner.

RECREATION REPORT

Chairman/Park and Recreation Director, Steve Wyka announced the May Park & Recreation Commission Meeting is cancelled.

Steve announced registrations for the 2016 Summer Playground Program will be held at the Township Municipal Building week-days during normal Township Office hours. It was noted the Program will be open to children ages six to eleven, week-days beginning on Monday, June 13, 2016 from 9:00 a.m. to 1:00 p.m. through August 5, 2016. Steve also announced that the Township is in the process of accepting job applicants in order to fill open Playground Counselor positions.

ROADMASTER REPORT

Designation of Agent Resolution

Steve explained the purpose of the Resolution is to designate the Chairman of the Board as the agent of the Township for obtaining financial assistance under the Disaster Relief and Emergency Assistance Act in order to qualify for Federal re-imbursement of expenses incurred from Winter Storm Jonas.

Mike Sacks made a **motion** adopting Resolution No. 2016-7, Designation of Agent Resolution Records; Randy Sicher seconded the motion. All in favor.

OLD BUSINESS

None at this time.

NEW BUSINESS

Pennsylvania Dutch School – Request for Use of Township Meeting Room

Chairman Wyka 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 Pennsylvania Dutch Class to be held on Thursday evenings from 7:00 p.m. until 8:30 p.m. beginning September 1, 2016 until December 8, 2016. The registration fees for each attendee will be given to the Township in order to cover expenses, such as heat and electricity.

Mike Sacks made a **motion** granting approval for use of the Township Municipal Building Meeting Room to the Pennsylvania Dutch School Group; seconded by Randy Sicher. All in favor.

PSAT's Convention

Vice Chairman, Mike Sacks, provided the audience in attendance, as well as the Board of Supervisors with an over-view of topics discussed by State Legislatures at the PSAT's Convention he recently attended.

APPROVAL OF BILLS

Randy Sicher made a **motion** to approve processing for payment, bills totaling \$163,213.57 and transfers totaling \$33,124.51 for the period of April 13, 2016 through May 10, 2016; Mike Sacks seconded that motion. All in favor.

Vote: Mike Sacks, Yes; Steve Wyka, Yes; Randy Sicher, Yes

ADJOURNMENT

Randy Sicher made a **motion** to adjourn the meeting at 8:08 p.m.; Mike Sacks seconded the motion. All in favor.

Respectfully submitted,

Jennifer A. Wassell-Bonser
Township Secretary