

BOARD OF SUPERVISORS
MINUTES OF MONTHLY MEETING
MAY 8, 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; Jill Nagy, 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 meeting of April 10, 2012 would not take place. Draft copies of all those minutes were available in the Meeting Hall.

APPROVAL OF MEETING MINUTES

Maryann Lantz made a **motion** approving the Minutes of the regular meeting of April 10, 2012 as presented; Steve Wyka seconded the motion. All in favor.

APPROVAL OF TREASURER'S REPORT

David Fatzinger reviewed the Treasurer's Report for the month of April, 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 April, 2012 subject to further review; Maryann Lantz seconded the motion. All in favor.

Diesel Fuel Use Discussion

The Township Treasurer provided the Board of Supervisors with an over-view of Agreements between the Township and the local emergency services providers, which include the Topton Ambulance, Topton Volunteer Fire Company, and Seisholtzville Fire Company. It was noted that the Agreements for each service provider has expired or is in the process of expiring. A discussion was held regarding details for inclusion in new agreements related to diesel fuel usage and the associated cost for each entity. Dave Fatzinger reviewed details outlined in a Fuel Consumption Report as presented to the Board which included the diesel fuel usage of each department entity and the associated cost per gallon. Dave also reviewed the amount of Fire Tax which was collected in 2011 and the disbursement amounts that have been made to each entity. The Township Treasurer asked for the Board's direction in how to proceed with renewing the Emergency Services Agreements and the monetary amounts for consideration of distribution to each service.

Steve Wyka made a **motion** authorizing the Township Solicitor to work with the Township Treasurer to draft Agreements between the Township and the Township Emergency Services which specify payments for the diesel fuel usage and proper disbursement of Fire Tax collected; Maryann Lantz seconded the motion. All in favor.

Year-End 2011 Annual Audit & Financial Report

The Township Treasurer informed the Board of Supervisors that the financial audit report for the year ending 2011 has been received and will be advertised in the Reading Eagle on Thursday, May 10, 2012. There were no concerns noted by the Township Auditing Firm in the report.

ANNOUNCEMENTS

The Township Secretary informed the audience that a new program, Neighbors Helping Neighbors, is looking for volunteers to help provide non-medical, in-home, volunteer assistance to older adults in the community. It was noted anyone interested in the program should contact the Township Office for further details.

Chairman Sacks announced that the open burn ban which was issued at the previous Board of Supervisors Meeting has been lifted since conditions for the risk of wildfires has subsided.

PUBLIC COMMENTS

Mr. Peter Noyce informed the Board in 1994 that a petition was presented to the Township resulting in the passing of a Township Resolution officially naming a tributary of the Little Lehigh Creek as “Glen Run”. Mr. Noyce noted he recently contacted PennDOT to report a culvert under Centennial Road at “Glen Run” had caved in and was told they had no records identifying a stream by the name “Glen Run”. Mr. Noyce requested the Board’s re-affirmation and acceptance of Resolution No. 1994-181 formally recognizing the tributary, Glen Run, as described in the Resolution. Mr. Noyce also suggested that official signage properly identifying the tributary as “Glen Run” be placed at the appropriate road crossing.

Maryann Lantz made a **motion** authorizing the Township Secretary to send a letter to PennDOT, Berks County and the DEP Field Office requesting each entity update their GIS mapping accordingly to identify the tributary, Glen Run, as more fully described in Resolution No. 1994-181; Steve Wyka seconded the motion. All in favor.

Mr. Robert Sander expressed words of thanks for work recently done by the Township Road Crew in correcting a drainage issue on South Barbara Drive. The Board thanked Mr. Sander for his acknowledgement of the Road Crew’s work.

ENGINEERING AND PLANNING COMMISSION REPORT

East Penn Manufacturing Parking Lot Expansion Project – 3-Month Time Extension for Preliminary/Final Plan Review Requested to September 6, 2012

Maryann Lantz made a **motion** granting a three-month time extension to September 6, 2012 for the Preliminary/Final Plan review of the East Penn Manufacturing Tipton Facility Parking Lot Expansion Project as recommended by the Planning Commission; Steve Wyka seconded the motion. All in favor.

Regional Comprehensive Plan – Planning Commission’s Recommendation to Begin Reviewing the EBCRCP for Plan Revisions/Updates

The Township Engineer provided the Board of Supervisors with details related to the Planning Commission’s discussion at their last meeting regarding the Eastern Berks County Regional Comprehensive Plan. Jill Smith noted the Planning Commission made a recommendation for the Township to begin the process of updating the Regional Comprehensive Plan by first identifying the sections that need to be addressed due to changes within the Township since the plan was adopted. It was noted that the mandatory ten-year review of the

Comprehensive Plan is approaching. It was recommended that the Township Solicitor and Engineer provide a summary of the sections they feel should be revised with a proposed timeline and estimate cost.

Maryann Lantz made a **motion** authorizing the Township Solicitor and Engineer to proceed with reviewing the Eastern Berks County Regional Comprehensive Plan and providing a recommendation on suggested updates the Township may want to consider making to the Plan as well as providing a cost estimate and proposed schedule for the work to be completed; Steve Wyka seconded the motion. All in favor.

Re-Affirmation of Floodplain Ordinance

The Township Engineer informed the Board that the version of the Floodplain Ordinance provided to the Board for signing was not the most updated version; therefore an incorrect copy of the Ordinance was submitted to DCED. Jill Smith provided the Board with the correct copy which already addressed the comments received by the Township. It was noted the current Ordinance was previously reviewed by the Board, is compliant with the requirements of the National Flood Insurance Program, and would not need to be re-advertised in order for the Board of Supervisors re-affirmation and adoption of the Ordinance.

Steve Wyka made a **motion** to re-affirm the adoption of the correct version of the Floodplain Ordinance No. 270 as presented; Maryann Lantz seconded the motion. All in favor.

SEO REPORT

Sewage Management Report Update

The Township Engineer provided the Board of Supervisors with an update on the Sewage Management Program and noted that four liens have been recently filed against property owners who are in violation of the Program.

ZONING AND CODES ENFORCEMENT

LTL Consultants, Ltd. Report for March 27, 2012 to April 27, 2012

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

Former Township Building Inspector

The Township Solicitor reviewed an outstanding issue regarding the Township's former Building Inspector, Lehigh Valley Inspection Services. Jill Nagy explained that the former Building Inspector is requiring outstanding building and zoning permits to be renewed and charging property owners renewal fees.

It is the current Building Inspector and Township Solicitor's opinion that due to State legislation passed, all building and zoning permits are automatically extend to July, 2013. Therefore LVIS should not be requiring permits to be renewed and charging applicants additional renewal fees.

Steve Wyka made a **motion** authorizing the Township Solicitor to send a letter to the Township's former Building Inspector, Lehigh Valley Inspection Services, informing them of the Township's position that permits do not have to be renewed and additional fees should not be paid in accordance with Act 47; Maryann Lantz seconded the motion. All in favor.

SOLICITOR'S REPORT

Berks County Public Safety Radio Project – Resolution Discussion

The Township Solicitor provided the Board an update on the Public Safety Radio Project which requires municipalities to purchase upgraded radios that are compliant with the County System. Jill Nagy reviewed the financing structure proposed by the County to municipalities, which includes executing a Promissory Note and Security Agreement in order for municipalities to pay their share of the radios over a seven year period. Jill informed the Board that the Agreement states a not to exceed amount per year which allows the Township to utilize the County's funding package prior to executing the final note with the final terms of the radios. Jill presented Resolutions for the Board's consideration for adoption in order to enter agreements for providing each emergency service provider, as well as the Township Public Works Department, who are required to purchase radios as mandated in accordance with the Berks County Public Safety Radio Project.

Maryann Lantz made a **motion** authorizing the adoption of Resolution No. 2012-12, Authorizing Execution of the Promissory Note not to exceed \$60,550.00 over seven years for the Berks County Public Safety Radio Project for the Longswamp Township Public Works Department, as presented; Steve Wyka seconded the motion. All in favor.

Maryann Lantz made a **motion** authorizing the adoption of Resolution No. 2012-13, Authorizing Execution of the Promissory Note not to exceed \$91,000.00 over seven years for the Berks County Public Safety Radio Project for the Topton Volunteer Fire Company, as presented; Steve Wyka seconded the motion. All in favor.

Maryann Lantz made a **motion** authorizing the adoption of Resolution No. 2012-14, Authorizing Execution of the Promissory Note not to exceed \$17,500.00 over seven years for the Berks County Public Safety Radio Project for the Topton Ambulance Association, as presented; Steve Wyka seconded the motion. All in favor.

Maryann Lantz made a **motion** authorizing the adoption of Resolution No. 2012-15, Authorizing Execution of the Promissory Note not to exceed \$15,050.00 over seven years for the Berks County Public Safety Radio Project for the Longswamp Township Emergency Management Association, as presented; Steve Wyka seconded the motion. All in favor.

Oil/Gas Zoning Amendment Mandate

The Township Solicitor provided the Board of Supervisors with a copy of the draft Ordinance to amend the current Township Zoning Ordinance to include regulations for oil and gas drilling in accordance with Act 13. It was noted that the draft Ordinance presented was for the Board's further review and consideration at a future meeting.

RECREATION REPORT

Chairman Sacks announced the date of the May Park & Recreation Commission Meeting as scheduled for Tuesday, May 15, 2012 at 7:00 p.m. in the upstairs Conference Room of the Township Municipal Building.

Chairman Sacks announced the date of the annual Spring yard sale which is scheduled to be held on Saturday, June 9, 2012 from 8:00 a.m. to 2:00 p.m. at the Township Park. Mike explained there are \$5 and \$10 spaces available for anyone interested in renting a space at the yard sale. Chairman Sacks announced the upcoming dates for the 2012 Summer Playground Registration. The dates scheduled for registrations to be held at the Township Office are: Friday, May 18, 2012 from 6:00 p.m. to 8:00 p.m., as well as Saturday, May 19, 2012 from 10:00 a.m. to Noon,

and Saturday, June 2, 2012 from 10:00 a.m. to Noon. It was noted the 2012 Summer Playground will run from June 25, 2012 through August 10, 2012 from 9:00 a.m. to 1:00 p.m. weekdays.

ROADMASTER REPORT

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

Road Materials Bids

It was noted that two Bids for Township Road Materials were received and opened by Township Roadmaster, Scott Miller at a previously advertised public meeting held on Thursday, May 3, 2012 at 12:00 p.m. The Bid Opening Meeting was attended by Scott Miller, Township Roadmaster; Maryann Lantz, Supervisor; and Jennifer Wassell-Bonser, Township Secretary.

Chairman Sacks announced the bids received were from Eastern Industries, Inc. and EJB Paving & Materials Co. and after review of the bids, the Township Roadmaster, Scott Miller's recommendation is to award the contract to Eastern Industries, Inc. at a total cost of \$495,650.00.

Paving Materials:

Eastern Industries	\$403,950
EJB Paving	\$407,000

Quarry/Other Materials

Eastern Industries	\$91,700
EJB Paving	No Bid

Steve Wyka made a **motion** to accept bids for road materials from Eastern Industries, Inc. and EJB Paving & Materials Co. and award the 2012 Road Materials Bid to Eastern Industries, Inc. based on the quote received totaling \$495,650.00; Maryann Lantz seconded the motion. All in favor.

Township Public Works Employee Request for Approval to Use Banked Sick Time

Steve Wyka made a **motion** approving a request by Township Public Works Employee, Robert Kressley, to use banked sick time in addition to accumulated vacation, holiday, and sick hours in order to recover from anticipated surgery scheduled in June; Maryann Lantz seconded the motion. All in favor.

OLD BUSINESS

Hunsicker's Grove Update

Chairman Sacks provided information to the Board on a meeting he recently attended with the Berks County Commissioners. Mike relayed that Hunsicker's Grove could be leased by the Township from the County for a \$1.00/year. Steve Wyka raised the issue of costs associated with maintaining Hunsicker's Grove which was a concern to the Board in the past. Mike stated updated maintenance costs would be forthcoming by the County for the Board's review.

Wireless Emergency Network System Update

Chairman Sacks provided the Board with the approximate cost of \$7,000.00 for instituting the Wireless Emergency Network System (WENS). The Board suggested the Public Safety Committee consider offering a workshop to residents of the community outlining details of the

WENS System in order to gauge public interest in the system prior to the Township committing to the system.

Topton Ambulance Building

Mr. Matt Davenport, Watkins Architect, updated the Board on the status of the new facility proposed by the Topton Ambulance. Matt explained the building permit application was recently denied by the Township Zoning Officer due to outstanding items of the Land Development Plan. Matt explained that the outstanding items are in the process of being resolved so the Final Plans for the project can be recorded. Matt explained it is the intent of Topton Ambulance to address all outstanding items, including signing the Stormwater Agreement and Developer's Improvement Agreement in order to proceed with the project. Mr. Davenport also noted

Topton Ambulance will be requesting a waiver for the required Recreation Fees to be paid.

The Township Engineer reviewed the conditions of Final Plan approval which need to be completed prior to the release of the plans for recording as summarized in Hanover Engineering's Review letter dated February 10, 2011. The outstanding items include posting financial security for the site improvements with the Township, and signing and recording the Right-of-Way Deed of Dedication, the Stormwater Agreement, and Developer's Improvement Agreement.

The Township Solicitor suggested the plans can be released contingent upon financial security be posted with the Township as soon as possible, and prior to the Township issuing a building permit.

It was also noted and agreed by representatives of the Topton Ambulance that any costs incurred for services rendered by the Township Professionals would be paid directly by the Topton Ambulance Service.

Maryann Lantz made a **motion** granting a waiver to Topton Ambulance for paying the required Recreation Fees associated with the Land Development Plan for their new facility; Steve Wyka seconded the motion. All in favor.

Maryann Lantz made a **motion** accepting the Stormwater Agreement and Developer's Improvement Agreement to be executed between the Township and Topton Ambulance for their proposed land development; Steve Wyka seconded the motion. All in favor.

Maryann Lantz made a **motion** accepting the Final Plans for recording for the Topton Ambulance Building conditional to meeting all outstanding items of the Township Engineer's review letter dated February 10, 2011 which includes posting security prior to the Township releasing a building permit for the new facility; Steve Wyka seconded the motion. All in favor.

NEW BUSINESS

Discussion of Quote for Open Burn Ban Signage

The Board of Supervisors discussed purchasing open burn ban signs which could be used in the future in the event an open burn ban is issued again. The Board decided to delay purchasing signage at this time, and reconsider it at a future date if it appears they will be needed.

Brandywine Transportation Request for Project Completion Letter

Supervisor Maryann Lantz noted she received a call from Brandywine Transportation asking if

the Township could provide a letter confirming the completion of the Gross School Bus Project.

Mike Sacks made a **motion** authorizing the Township to issue a letter on behalf of Brandywine Transportation confirming the completion of the Gross School Bus Project; Maryann Lantz seconded the motion. Steve Wyka opposed the motion.

Pension Resolution

Steve Wyka made a **motion** adopting Resolution No. 2012-16, PSAT's Municipal Pension Resolution; Maryann Lantz seconded the motion. All in favor.

Chairman Sacks announced that an Executive Session was held on Wednesday, May 2, 2012 from approximately 7:00 p.m. to 9:00 p.m. regarding personnel issues.

The Township Solicitor requested the Board's consideration to hold an Executive Session upon adjournment of the Board of Supervisors Meeting in order to discuss real estate dedication.

APPROVAL OF BILLS

Steve Wyka made a **motion** to approve processing for payment, bills totaling \$155,943.32 and transfers totaling \$38,211.51 for the period of April 11, 2012 through May 8, 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 8:57 p.m.; Maryann Lantz seconded the motion. All in favor.

Respectfully submitted,

Jennifer A. Wassell-Bonser
Township Secretary