

BOARD OF SUPERVISORS
MINUTES OF MONTHLY MEETING
AUGUST 14, 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; and David Fatzinger, Treasurer. Jennifer Wassell-Bonser, Secretary, was absent from the meeting.

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 July 10 and July 24, 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 July 10 and July 24, 2012 as presented; Steve Wyka seconded the motion. All in favor.

APPROVAL OF TREASURER'S REPORT

The Township Treasurer, David Fatzinger, reviewed the Treasurer's Report for the month of July, 2012 as presented for the Board of Supervisor's review.

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

ANNOUNCEMENTS

Chairman Sacks announced a Wireless Emergency Notification System (WENS) Seminar will be held on Wednesday, August 15, 2012 at 7:00 p.m. at the Township Municipal Building Meeting Room for residents interested in learning more about the service the Township is considering making available based on the community's interest.

Chairman Sacks also announced the cancellation of the August 20, 2012 Environmental Advisory Council Meeting. It was noted the next meeting will be held on Monday, September 17, 2012 at 7:00 p.m., as previously advertised.

Chairman Sacks announced the Board of Supervisors held an Executive Session on July 29, 2012 to discuss personnel issues.

PUBLIC COMMENTS

Eloise Long, member of the Board of Directors of the Historical Society, requested the Board of Supervisors reconsideration of allowing the Historical Society to use the Township Municipal Building for holding their meetings. A discussion was held regarding the request and it was noted that, at the request of the Historical Society, on July 10, 2012, the Board of Supervisors rescinded the Resolution establishing a Township Historical Committee. At that time, it was agreed upon and understood by the Committee that, due to Township policy, they would no longer be able to use the Township Building for their meetings.

ENGINEERING AND PLANNING COMMISSION REPORT

Mertz Road Bridge

The Township Engineer updated the Board of Supervisors on the status of the Mertz Road Bridge Project, noting that three (3) proposals were received as noted in her letter dated August 7, 2012, with Lane Enterprises, Inc. being the low bidder with a cost of \$16,843.59. The Board of Supervisors discussed several issues regarding the project, including formally waiving the requirement for a Bid Bond to be provided, awarding the contract to Lane Enterprises as recommended by the Township Engineer, and authorizing the Township Engineer to issue the Notice to Proceed so that Lane Enterprises can begin manufacturing the bridge.

Steve Wyka made a **motion** to waive the Bid Bond requirement, award the contract totaling \$16,843.59 to Lane Enterprises for the Mertz Road Bridge Replacement Project, and issue the Notice to Proceed; Maryann Lantz seconded the motion. All in favor.

The Board of Supervisors signed the contract and it was noted that the Township Engineer will forward the contract to Lane Enterprises with the Notice to Proceed so that the project work can begin in early September.

Township Act 537 Plan

Steve Wyka reviewed the information regarding the status of the Township Act 537 as provided by Jim Birdsall at the previous Board of Supervisors meeting held on July 24, 2012, and made a recommendation that the Board authorize the Township Solicitor and Engineer to prepare a plan and associated Resolution for the continued utilization of onlot septic systems as the Township's official Plan. Steve further recommended that the Plan should be prepared based on existing information available to the Township, and directed the Township Engineer to limit engineering work to only the work already provided and to keep the Plan narrative short and direct with no additional soil testing or evaluation to be undertaken at this time. A tentative schedule for possible completion of the draft Plan and Resolution was discussed and it was noted for further review and direction by the Board of Supervisors at the September 11, 2012 Meeting.

Steve Wyka made a **motion** authorizing the Township Solicitor and Engineer to proceed with preparing the draft Plan and associated Resolution for a revised Act 537 Plan proposing the continued utilization of onlot septic systems as the Township's Official Plan; Maryann Lantz seconded the motion. All in favor.

Berks County Draft Comprehensive Plan 2030

The Township Engineer provided a brief overview of the County's draft Comprehensive Plan

and reviewed the comments she provided in her memorandum to the Board dated August 14, 2012. Jill Smith recommended notifying the County that, per the previous motion passed by the Board, the Township intends to pursue onlot septic systems as the Township's official Act 537 Plan for the entire Township, in place of providing a public sewer system in the Mertztown Area.

Chairman Sacks also noted that all the Tipton Lutheran Home property included in the Medical Residential Campus (MRC) Overlay District should be considered as "Designated Growth" in the County's Future Land Use mapping.

Maryann Lantz made a **motion** authorizing the Township Engineer and Solicitor to prepare a comment letter to the County in response to the Berks County Draft Comprehensive Plan 2030, informing them of the Township's intention to pursue onlot septic systems in place of public sewers and recommending that the entire MRC Overlay District be considered a "Designated Growth" area in the Future Land Use mapping; Steve Wyka seconded the motion. All in favor.

MS4 Permit Waiver

The Township Engineer discussed with the Board of Supervisors the requirement for all municipalities to renew their MS4 NPDES permits for the 2013-2018 permit period for applications to be submitted to DEP by mid-September. Since Longswamp applied for and was granted a waiver for the MS4 NPDES permit in the previous permit period, it is Hanover Engineering's recommendation that the Township apply for a waiver for the upcoming period. Jill Smith stated DEP has said waivers are not guaranteed, but since no additional homes have been built in the MS4 area since the last permit period began, we would expect that a waiver would be granted again. The Township will still have to submit the Permit Application and required fee, as well as the Waiver Request Form. The Engineer provided the appropriate documents for the Chairman of the Board to sign, and the Board authorized the Township Treasurer to prepare required \$2,500.00 Application Fee.

Sanitary Sewer Repair in Tipton

The Board of Supervisors discussed the request received from Tipton Borough for the Township to "repair a break" in the sewer pipe on Keller Street, which provides service to Henningsville Road and residents in the Township. It was noted the break appears to be a hole or gash in the top of the pipe according to Scott Miller, the Township Roadmaster. It was noted and discussed, since the pipe is located within the Borough, it appears the repair of the pipe is the Borough's responsibility in accordance with the Woodside Sewer Agreement executed between the Township and the Borough in the late 1980's. The Board of Supervisors authorized the Township Solicitor and Engineer to prepare a written response to the Borough of Tipton stating the Township's position is that the Borough is responsible for repairing the sewer line, not the Township.

Dogwood Drive Culvert Replacement

The Township Engineer informed the Board that the Township Roadmaster contacted her regarding the need to replace an existing pipe culvert on Dogwood Drive, located just south of State Street. Jill Smith stated the Township will most likely need to go through the same permitting process as required for the Mertz Road Bridge project. The Board of Supervisors authorized the Township Engineer to research the permit requirements and information required, and to provide an estimated cost for the anticipated project.

SEO REPORT

Sewage Management Report Update

The Township Engineer noted based on her recent conversation with Jeff Huff, Township Sewage Enforcement Officer, there are ninety-eight (98) residences in Cycle 3 that have not pumped to date. A reminder was sent out in July, with a second reminder to be sent out by the Township within the next week or so. Notices of Violations are typically sent out in September for residents who have not complied with the Township Sewage Management Program.

ZONING AND CODES ENFORCEMENT

LTL Consultants, Ltd. Report for June 27, 2012 to July 30, 2012

Chairman Sacks reviewed the activities as noted in the Zoning and Codes Enforcement Report for the period from June 27, 2012 to July 30, 2012.

SOLICITOR'S REPORT

Agricultural Area Security District

The Township Solicitor noted there is at least one (1) Agricultural Area Security District Application for review and consideration. Jill Nagy provided the Board of Supervisors with details related to the application review procedure which included noting that the applications will need to be advertised for comment as received by the Township prior to the deadline. The Board of Supervisors authorized the Township Solicitor to advertise the application(s) as received for the Agricultural Security District.

Eastern Berks County Region Comprehensive Plan (EBCRCD)

The Township Solicitor reviewed her memorandum dated August 10, 2012, addressed to the Board of Supervisors and Township Planning Commission, providing an outline of the current Eastern Berks County Regional Comprehensive Plan and updates. This issue will be further discussed at the upcoming Planning Commission Meeting to be held on September 4, 2012.

RECREATION REPORT

Chairman Sacks announced the August Park & Recreation Commission Meeting will be held on Tuesday, August 21, 2012 at 7:00 p.m. in the upstairs Conference Room of the Township Municipal Building.

Chairman Sacks announced the Reading Philharmonic will be performing at the Township Park on Wednesday, August 15, 2012 at 7:00 p.m., with a raindate of Thursday, August 16, 2012 at the same time.

ROADMASTER REPORT

Chairman Sacks reviewed the Township Roadmaster's Report for the month of July 2012.

Norfolk Southern Railroad

Chairman Sacks noted Norfolk Southern Railroad has informed the Township they plan to complete repair work at the Chestnut Street crossing in Mertztown. It was noted that the work will require the closure of Chestnut Street North of State Street and traffic to be detoured from September 24 to October 1, 2012. Jill Nagy recommended the Township send a letter to Norfolk Southern stating the Township accepts no responsibility or liability for the road closure and detour, or any issues that may arise due to the project.

Maryann Lantz made a **motion** authorizing the Township Solicitor to assist the Township Secretary in preparing and sending a letter to Norfolk Southern stating the Township accepts no

responsibility or liability for the proposed project and work to be completed at Chestnut Street for the Norfolk Southern Railroad crossing repair; Steve Wyka seconded the motion. All in favor.

OLD BUSINESS

None at this time.

NEW BUSINESS

Cub Scout Request

The Board of Supervisors authorized approval to a request by the Cub Scouts for placement of a sign at the Township Municipal Building entry from early September to October for raising scouting awareness.

Discussion of Township Healthcare Cost Savings

Chairman Sacks reviewed various healthcare options for the Board's further review and consideration for potential cost savings of Township Employee healthcare benefits.

Appoint Township Office Administrator & Township Public Safety Administrator

Chairman Sacks announced that the Supervisors would be switching roles within the Township Office. It was noted that Michael Sacks would now be the Township Office Administrator and Steve Wyka would be the Public Safety Administrator.

Chairman Sacks announced that the Board will be holding an Executive Session upon adjournment of the Board of Supervisors Meeting in order to discuss personnel issues.

APPROVAL OF BILLS

Maryann Lantz made a **motion** to approve processing for payment, bills totaling \$99,851.76 and transfers totaling \$307,228.18 for the period of July 11, 2012 through August 14, 2012; Steve Wyka seconded the motion. All in favor.

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

ADJOURNMENT

Maryann Lantz made a **motion** to adjourn the meeting at 8:00 p.m.; Steve Wyka seconded the motion. All in favor.

Respectfully submitted,

Jennifer A. Wassell-Bonser
Township Secretary

Assisted by Jill Lipovsky Smith, PE
Township Engineer