

BOARD OF SUPERVISORS
MINUTES OF MONTHLY MEETING
SEPTEMBER 10, 2019

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; Randy Sicher, Vice Chairman; Joyce Marin, Supervisor; Jill Smith, representing the Engineer; Jill Nagy, representing the Solicitor; Steve Wyka, Operations Administrator; and Secretary/Administrator, Jennifer Wassell-Bonser. Treasurer, David Fatzinger was absent from the meeting.

CALL TO ORDER

At 7:01 p.m., the Board of Supervisors Meeting was recessed to hold the Public Hearing on the SALDO Text Amendment Ordinance for Longswamp Township. Randy Sicher made the **motion** to closed the Board of Supervisors Meeting as announced; Joyce Marin seconded the motion. All in favor.

The Board of Supervisors re-convened their meeting at 7:07 p.m. Chairman Mike Sacks called the meeting to order at 7:07 p.m. and announced the reading of the minutes of the Act 537 Informational Meetings of June 25, July 23, and August 27, 2019 would not take place. Draft copies of the minutes were available in the Meeting Hall.

APPROVAL OF MEETING MINUTES

Randy Sicher made a **motion** approving the Minutes of the Act 537 Informational Meetings of June 25, July 23, and August 27, 2019 as presented; Joyce Marin seconded the motion. All in favor.

APPROVAL OF TREASURER'S REPORT

Vice Chairman Randy Sicher reviewed the Treasurer's Report for the month of August, 2019 as presented for the Board of Supervisor's further review. The Treasurer's Report for the month of August, 2019 indicated \$1,228,999.82 total Township General Funds for the period; \$1,051,349.64 total Township Additional Funds for the period; for a total of \$2,280,349.46 in Total Account Funds for the period.

Joyce Marin made a **motion** accepting the Treasurer's Report for the month of August, 2019 subject to further audit; Randy Sicher seconded the motion. All in favor.

Request for Approval to Initiate Action – Finacchio NSF Check

Randy Sicher made a **motion** to initiate legal action with the Pennsylvania State Police against M/M Finacchio for a Non-Sufficient Funds Check written to the Township in the amount of \$1,901.22 and require payment in the form of certified funds totalling \$1,936.22, which includes the Township's Return Check Fee of \$35.00; Joyce Marin seconded the motion. All in favor.

2020 Minimum Municipal Obligation (MMO) Employee Pension Plan Payment Approval

Joyce Marin made a **motion** approving the payment of the 2020 Township Employee Pension Plan Minimum Municipal Obligation in the amount of \$58,565.00 after January 1, 2020 and to authorize the Township Treasurer to sign the MMO Calculation Acceptance; Randy Sicher seconded the motion. All in favor.

ANNOUNCEMENTS

Chairman Sacks announced that the Board of Supervisors met in Executive Sessions regarding land purchase from approximately 6:00 p.m. to 7:00 p.m. on June 25 and August 27, 2019.

Chairman Sacks informed the audience in attendance that flyers are available at the podium relative to September, National Preparedness Month.

PUBLIC COMMENTS

The Township Solicitor confirmed that the Township Planning Commission is in the process of reviewing proposed Zoning Ordinance revisions at this time in response to a request made by **Brad Sechler** that the Board consider reviewing and re-writing the Township Solar and Wind Turbine Ordinances.

Justin Wehr expressed his concerns relative to traffic in the vicinity of the bus stop located at his property at 169 Dogwood Avenue. Mr. Wehr described the area of concern, explaining that cars consistently drive into the lane of on-coming traffic in the area of the bus stop. Mr. Wehr stated that the current bus stop signage is located too far in advance of the hidden driveway and requested extra signage be installed. Mr. Wehr confirmed that he has also spoken with representatives of the Brandywine School District regarding the issue as well. Mr. Wehr also confirmed that the bus driver has altered the drop off routine in order to provide extra pre-caution for children being dropped off in that area.

Randy Sicher made a **motion** authorizing the immediate installation of “bus stop ahead” warning signs coming down Dogwood Avenue in a location as deemed most appropriate by the Township Roadmaster; Joyce Marin seconded the motion. All in favor.

Randy Sicher informed the Board of Supervisors that it was recently brought to his attention that there are no “School Zone” signs at the High School. The Township Solicitor recommended that the Brandywine School District reach out to PA DOT for signage in conjunction with the Township.

Randy Sicher made a **motion** authorizing the Township request that PA DOT issue “School Zone” signage for installation at the Brandywine Heights Area High School; Joyce Marin seconded the motion. All in favor.

Joyce Marin announced the Township Environmental Advisory Council will be hosting a moth program in the Township Park on the evening of September 20, 2019.

Steve Wyka informed the Board of Supervisors that he has requested copies of the Township Act 537 Plan be returned from LTL Consultants. Steve notified the Board that there are no copies at the Township Office at this time since they were originally loaned out to LTL. Mike Sacks stated that he will follow-up directly with LTL and instruct them to provide a copy of the Township's approved Act 537 Plan to the Township Office as soon as possible.

ENGINEERING AND PLANNING COMMISSION REPORT

Walker Road (Misiura) Land Development – Request for Waiver

The Township Engineer reviewed details of a waiver request, made by M/M Misiura, from the Subdivision and Land Development review process for their property located on Walker Road. Jill Smith explained that the Misiura's purchased the lot with the intention of building a single-family dwelling, having been told by the seller that it was a "building lot". Jill noted that when the parent tract was subdivided, creating this lot, the lot was approved by the Longswamp Township Planning Commission as open space for a non-building lot. John Katzbeck, the builder representing the Misiura's, explained details of the Misiura's current proposal and request. Jill Smith noted that the Planning Commission has reviewed their current request and has recommended that the Board of Supervisors waive the SALDO planning process contingent upon the applicants meeting the SALDO and Zoning Ordinance requirements and obtaining all of the required permits.

Joyce Marin made a **motion** granting the waiver for the requirement to submit a land development plan and comply with the review procedures of the Township SALDO and Zoning Ordinance requirements, conditioned on a Site Plan, as well as any other required supporting documents being submitted to the Township for review by the Township Engineer and Zoning/Codes Officer, for the proposed residential development on the approximate 16 acres requested by the owner/developer of the Misiura property located on Walker Road and as recommended by the Planning Commission; Randy Sicher seconded the motion. All in favor.

212 Kennedy Avenue Pole Barn Land Development – Request for Waiver

The Township Solicitor reviewed details of past litigation relative to a request made by Kevin Flynn for a 60 x 90 pole barn which will be connected to an existing garage building at his property located at 212 Kennedy Avenue. It was noted that the Planning Commission recommended that the Board of Supervisors waive the Subdivision and Land Development planning process contingent upon the applicant meeting the SALDO and Zoning Ordinance requirements and obtaining all of the required permits for the project.

Joyce Marin made a **motion** granting the waiver for the requirement of the Subdivision and Land Development planning review process for a pole barn building proposed to be built on the property located at 212 Kennedy Avenue, contingent upon Mr. Flynn meeting the SALDO and Zoning Ordinance requirements and obtaining all of the required permits; Randy Sicher seconded the motion. All in favor.

Review Uses for Potential Update to the Township Zoning Ordinance

Planning Commission Chairman, Frank Karoly, addressed the Board relative to the need for text amendments to the Township's current Zoning Ordinance. Frank explained that the Planning Commission has discussed their initiative for identifying "uses" not currently addressed in the Township's Zoning Ordinance and incorporate newer uses. The Board of Supervisors granted approval for the Planning Commission to begin an initiative, including the use of the Township Solicitor's and Engineer's expertise, to identify what the uses are and proposed, as well as where and how the new uses would be addressed in a text amendment to the Township's current Zoning Ordinance.

Joyce Marin made a **motion** authorizing the Township Planning Commission to proceed with reviewing the Township Zoning Ordinance and provide recommendations on additional uses which should be added as an update to the current Zoning Ordinance.

Official Map for Recreation, Walking and Biking

Planning Commission Chairman, Frank Karoly, addressed the Board regarding creating an Ordinance for an Official Map for Recreation, Walking and Biking and inviting the Recreation Commission to participate in the discussions. The Board suggested also including the EAC and PennDOT representatives in the discussions.

Joyce Marin made a **motion** authorizing the Township Planning Commission to preliminarily develop an official Recreational Trails Map with the assistance of the Township Environmental Advisory Council and Park & Recreation Commission, as well as in conjunction with PA DOT, as may be deemed necessary, for incorporating state roadways; Randy Sicher seconded the motion. All in favor.

Non-Native, Noxious and Invasives Plant Ordinance

The Township Engineer presented the Board of Supervisors with the Non-Native, Noxious and Invasives Plant Ordinance for consideration for adoption. Jill Smith reviewed details of the Ordinance and noted that it is applicable to new development plans.

Joyce Marin made a **motion** to adopt the Non-Native, Noxious and Invasives Plant Ordinance as advertised for the Board's consideration; Randy Sicher seconded the motion. All in favor.

SEO REPORT

Chairman Sacks informed the audience that Cycle 1 of the Sewage Management Program is in effect.

LTL Consultants, Ltd. Report for August, 2019

Chairman Sacks reviewed the activities as noted in the Sewage Enforcement Officer's Report for the month of August, 2019.

ZONING AND CODES ENFORCEMENT

LTL Consultants, Ltd. Report for August, 2019

Chairman Sacks reviewed details of the activities as noted in the Zoning and Codes Enforcement Report for August, 2019.

Wilson Waiver Request – Solar Energy Ordinance

The Township Engineer explained details of a request for a waiver of the Solar Energy Ordinance as submitted by Paula Wilson.

Joyce Marin made a **motion** granting a waiver, as requested by property owner Paula Wilson, of the Township Solar Energy Ordinance and allow street-facing solar panels on the roof of a newly-constructed agricultural building located at 3 Hidden Valley Road; Randy Sicher seconded the motion. All in favor.

SOLICITOR’S REPORT

SALDO Text Amendment Ordinance

Randy Sicher made a **motion** to adopt an Ordinance Amending the Subdivision and Land Development Ordinance and Re-Affirming All Other Provisions of Said Ordinance as previously advertised; Joyce Marin seconded the motion. All in favor.

Agricultural Area Security District

It was noted for the good of the record that the Agricultural Area Security District period has been closed and that there were no applications received during the open period.

RECREATION REPORT

Chairman Sacks announced the September Park & Recreation Commission Meeting will be held at 7:00 p.m. on Tuesday, September 17, 2019, as previously advertised.

ROADMASTER REPORT

None at this time.

OLD BUSINESS

None at this time.

NEW BUSINESS

Brandywine Community Library

Amy Crouse addressed the Board of Supervisors, as well as the audience in attendance, regarding proposed funding changes for the library system in 2021 as outlined in Information Brochures available for the public. Amy hi-lighted various programs and events which have been sponsored by the Library through-out the past year. Amy also explained details of per capita funding proposed for 2021 and the 2022 and the corresponding new formula. Amy also provided an outline of how funding is received and spent by the Brandywine Community Library. Amy thanked the Township for their continued support and confirmed receipt of 2019 funding. Amy concluded by requesting funding from the municipality to be at least \$2.50 per capita to allow the Library Board to continue their work within the community.

CABT – Request for Letter on Bigger Trucks Legislation

Steve Wyka explained details related to a request received at the Township Office from the Coalition Against Bigger Trucks (CABT). Steve explained the organization is requesting a letter of support be sent by the Chairman of the Board to congressional delegation asking them to oppose federal mandates for bigger tractor trailers on roadways in the hopes to beat bills in the last session of Congress. Mike Sacks confirmed that he will submit a support letter on behalf of the Township as requested by the CABT.

Signature for Submission of 2018 Municipal Recycling Program Performance Grant Application

Randy Sicher made a **motion** authorizing signature of the 2018 Municipal Recycling Program Performance Grant Application for submission to PA Department of Environmental Protection; Joyce Marin seconded that motion. All in favor.

PSAT's 2019 Ballot for Election of Trustees

Randy Sicher made a **motion** accepting PSAT's Trustee Candidates, Michael Keller, for the 2019 Ballot for Election of Trustees of the PSAT's Unemployment Compensation Group Trust, Pennsylvania Municipalities Pension Trust, and Pennsylvania Townships Health Insurance Cooperative Trust; Randy Sicher seconded the motion. All in favor.

Requests for Approval to Exonerate Tax Collector to Collect Taxes – Real Estate 2019

Randy Sicher made a **motion** approving a request to exonerate the Tax Collector to collect 2019 real estate taxes totaling \$315.69; Joyce Marin seconded the motion. All in favor.

APPROVAL OF BILLS

Randy Sicher made a **motion** to approve processing for payment, bills totaling \$235,304.04 and transfers totaling \$40,266.43 for the period of August 14, 2019 through September 10, 2019; Joyce Marin seconded that motion. All in favor.

Vote: Joyce Marin, Yes; Randy Sicher, Yes; Mike Sacks, Yes

Chairman Sacks announced the resignation of Township Treasurer, David Fatzinger, effective October 1, 2019. The Board of Supervisors noted their acceptance and thanks to Dave for his years of service and announced that they would plan to meet in Executive Session upon adjournment of the meeting.

ADJOURNMENT

Randy Sicher made a **motion** to adjourn the meeting at 8:10 p.m.; Joyce Marin seconded the motion. All in favor.

Respectfully submitted,

Jennifer A. Wassell-Bonser
Township Secretary