BOARD OF SUPERVISORS
MINUTES OF MONTHLY MEETING
SEPTEMBER 11, 2007

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, 7:30 p.m., prevailing time as previously advertised and posted.

PLEDGE TO THE FLAG. ROLL CALL.

Officials Present: Donald Siegfried, Chairman; Bruce Hall, Vice Chairman; Steven C. Wyka, Supervisor; Jill Smith, representing the Engineer; Richard Orwig, Esquire, representing the Solicitor; Ed Bender, Zoning/Codes Enforcement Officer; Joni McPike, Treasurer and Barbara Ebert, Secretary.

CALL TO ORDER

Chairman Siegfried called the meeting to order at 7:34 p.m., and announced the reading of the minutes of the regular meeting of August 28, 2007, would not take place. Draft copies of those minutes were available in the meeting hall.

APPROVAL OF MINUTES

Bruce Hall made a **motion** to approve the Minutes of the regular meeting of August 28, 2007; Steve Wyka seconded that motion. All in favor.

APPROVAL OF TREASURER'S REPORT

None at this time.

ANNOUNCEMENTS

Back to School Dance – September 14, 2007, 7:00 – 9:00 p.m.
An Executive Session of the Board of Supervisors was held from 6:15 p.m. to 7:25 p.m. this evening to discuss litigation issues.

PUBLIC COMMENT

None at this time.

ENGINEERING, ZONING AND PLANNING COMMISSION REPORT – Jill Smith

Bear Creek Parking Lot Expansion: Consideration of Plan for Approval

The Planning Commission has recommended Preliminary/Final Approval be granted.
The Engineer noted that a letter has been received from the Fire Chief who has expressed no concerns.
Waivers Requested:

- SALDO Section 302.C – Major Land Development plans require a Preliminary Plan submission and a Final Plan submission. Waiver requested to allow a Preliminary/Final Plan submission.
- SALDO Section 402.C – A Context Map showing the location of the proposed subdivision within its neighborhood context shall be submitted. Waiver requested for showing information within two thousand (2,000) feet of the site.
- SALDO Section 402.D – An Existing Resource and Site Analysis shall be prepared. Waiver requested.

- SALDO Section 617.A.3 – Sidewalks. Waiver requested.
- Ord. No. 228 Article IV, Section 3.C – All stormwater controls and BMPs shall be included on the drainage plan. Waiver requested for submitting all supporting design and testing for facilities since existing facilities are being used.
- Ord. No. 232 IV, Section 5.B.8 – Reinforced concrete pipe shall be used for all storm sewer lines. Waiver requested to use HDPE Pipe used in other land development plans for this property.
- Ord. No. 236 Section 4.C.3 – Required use of minimum paving specifications. Waiver requested to continue use of 2 ½ inches of Binder paving as used in other land development plans for this property.

Bruce Hall made a **motion** granting waivers of SALDO Sections 302.C, 402.C, 402.D, 617.A.3; Ordinance No. 228, Aricle IV, Section 3.C; Ordinance No. 232 Article IV, Section 5.B.8; and Ordinance No. 236 Section 4.C.3; Steve Wyka seconded the motion. All in favor.

Bruce Hall made a **motion** granting conditional Preliminary/Final approval of the Bear Creek Parking Lot Expansion project contingent upon completion of the items outlined in Hanover Engineering's letter dated August 29, 2007; Steve Wyka seconded the motion. All in favor.

Bear Creek Picnicers Addition: Request for Waiver of Land Development Plan
Mr. Falencki reviewed the request for a waiver of SALDO Section 301.B requiring a land development plan to be submitted for review by the Township. He explained that the project consists of 600 sq. ft. addition on two levels (300 sq. ft. each level) for the storage of accounting records and tables not in use in the dining room.

Bruce Hall made a **motion** granting exemption from submission of formal land development plans for the Bear Creek Dining Room Expansion; Steve Wyka seconded the motion. All in favor.

Michael Rhode Minor Subdivision: Final Plans for Recording
Conditional/Final Approval was granted by the BOS on June 12, 2007. Plans submitted for signatures and recording.
Bruce Hall made a **motion** accepting the Michael Rhode Minor Subdivision plans for signatures and recording; Steve Wyka seconded the motion. All in favor.

Atlas Minerals and Chemicals: Time Extension
The Planning Commission has recommended a 90-day extension be granted to Atlas Minerals and Chemicals.
The BOS decided to table this item for their next meeting.

Schlossburg Street and Fairchild Street Truck Restriction
As requested by Mr. Dan Hunsicker at the last meeting of the BOS, the Engineer researched the possibility of an agricultural exception for truck traffic on a road designated "Local Deliveries Only". She found no such exception; only truck traffic originating from a property located on the road, or delivering to a property located on the road is allowed when the road is designed "Local Deliveries Only".
Lower Macungie has not yet contacted the Engineer to report any action taken by their township to approve the truck restriction on Fairchild Street.
Bruce Hall made a **motion** authorizing the Solicitor to prepare an ordinance restricting trucks except local deliveries on Schlossburg and Fairchild Streets; Steve Wyka seconded the motion. All in favor.

Mertz Road Bridge CDBG – Response from the County
The Engineer has prepared a letter to the residents of Mertz Road explaining the need to conduct a survey of income levels which are required by the County for funding from the Federal Community Development Block Grant Program.
Bruce Hall made a **motion** approving the draft letter to be sent to the residents of Mertz Road; Steve Wyka seconded the motion. All in favor.

SOLICITOR'S REPORT

Farmington Road Name Change Ordinance
The Solicitor reviewed a new ordinance #2007-243 changing the name of Farmington Road (SR1031) to Old Topton Road within Longswamp Township. Additional steps to be taken, per the ordinance, are as follows:

- Erect and install the necessary street name signs
- Update the official map of the Township
- Notify the appropriate state and county officials
- Notify appropriate township residents
- Notify the US Postal Service

It was noted that street numbers will not be changed along the section of road which will be changed from Farmington Road to Old Topton Road.

Bruce Hall made a **motion** accepting Ordinance No. 2007-243: Changing the Name of Farmington Road (SR 1031) Within the Township to Old Topton Road; Steve Wyka seconded the motion. All in favor.

Agriculture Security Area 2007
The Solicitor noted that no new applications were received for inclusion in the Agriculture Security Area during the open month of August.

Bruce Hall made a **motion** closing the open period for the Agriculture Security Area for 2007; Steve Wyka seconded the motion. All in favor.

Resolution for Rental Permit Fees
The Solicitor introduced a resolution for review and future action by the BOS: Establishing Rental Permit Fees and Regulations for Rental Permit Administration.

Longswamp Township Zoning Ordinance
The Solicitor discussed possible changes the Longswamp Township Zoning Ordinance adopted in April 2006 relative to the Planned Industrial Overlay. Included within the Overlay district are uses Permitted by Right, uses Permitted by Conditional Use and uses Permitted by Special Exception. The Solicitor recommends that the Planning Commission review a proposal for changing all uses Permitted by Right to Conditional Uses or Special conditions. Other small revisions to the Zoning Ordinance that have been tracked since its adoption may also be included.
Bruce Hall made a motion recommending that the Planning commission review and consider changes to the Longswamp Township Zoning Ordinance; Steve Wyka seconded the motion. All in favor.

Golden Meadows
It was noted that the Berks County Conservancy has requested a meeting or conference call with the Solicitor and Engineer to review information relative to the Golden Meadows Subdivision. No additional information is available at this time.

RECREATION REPORT – Bruce E. Hall

A meeting of the Brandywine Heights Park and Recreation Advisory Panel was held on August 29, 2007, to discuss the Bylaws. The next meeting will be held on November 29, 2007 at 7:30 in the Longswamp Township Municipal Building.

ROADMASTER REPORT

Report for August 2007

OLD BUSINESS

Eastern Industries

A letter has been received from PennDOT agreeing that a $3.00 per ton cost reduction (total credit of $9,041.16) is acceptable based on the reduced amount of asphalt in the mix provided to the Township. Bruce Hall made a **motion** accepting Eastern Industries' offer of a credit of $3.00 per ton; Steve Wyka seconded the motion. All in favor.

Bruce Hall made a **motion** approving payment of outstanding bills in relation to the price/product error for the total adjusted amount of $96,885.36 from the State Liquid Fuels Fund; Steve Wyka seconded the motion. All in favor.

Discuss Financing Options for Purchase of Asphalt Zipper

The Treasurer has suggested that Longswamp Township fund the purchase of the Asphalt Zipper from the Capital Reserve Fund and self finance to the other two Townships.
Steve Wyka made a **motion** authorizing the Treasurer to further investigate the possibility of self-financing the purchase of the Asphalt Zipper; Bruce Hall seconded the motion. All in favor.

NEW BUSINESS

Defibrillator

Representatives from Topton Ambulance addressed the BOS about the possibility of assisting the Township with the purchase of portable defibrillator equipment for use at the Township building. Topton Ambulance will supply a quotation within the next few days.

Annual Contributions & Donations – 2007 Budget Approval

Bruce Hall made a motion authorizing the expenditure from the General Fund for annual contributions and donations in the amount of $7,608.00 and from the Fire and Emergency Service fund in the amount of $44,750.00 for a total budget allotment of $52,358.00.

Lick Trucking

Ed Bender, Codes Enforcement Officer has conducted a survey of the Lick Trucking facility on Mertztown Road and has also spoken with Mr. Jeremy Lick. This facility is being operated as a non-conforming use which was in operation before the adoption of the Longswamp Township Zoning Ordinance currently in effect. Properties of this type must be baselined to evaluate any future growth. Mr. Lick was very cooperative and informed Mr. Bender that he is operating nine (9) trucks.
The Solicitor recommended that a written description of the non-conforming use be documented and, if possible, signed by the property owner.

RECORD NOTES

None at this time

APPROVAL OF BILLS

Bruce Hall made a **motion** to approve processing for payment, bills totaling $107,544.84 and transfers totaling $34,420.18; Steve Wyka seconded that motion. Roll Call Vote: Bruce Hall, Yes; Don Siegfried, Yes; Steve Wyka, Yes.

PUBLIC COMMENT

BOARD COMMENTS

ADJOURNMENT

Steve Wyka made a **motion** to adjourn the meeting at 8:54 p.m.; Bruce Hall seconded. All in favor.

Respectfully submitted,

Barbara K. Ebert
Township Secretary