

**THE TOWNSHIP OF GREENWICH
BOARD OF SUPERVISORS
MINUTES OF THE MONTHLY MEETING
Monday, May 5, 2014**

CALL MEETING TO ORDER / PLEDGE OF THE FLAG:

Members of the Greenwich Township Board of Supervisors met for the regular monthly meeting on Monday, May 5, 2014, in the Township Building. Chairman Victor M. Berger called the meeting to order at 7:30 p.m. with members Harry Hoppes present and Jacqueline Hollenbach by telephone from 7:45p.m to 8:00p.m. Also in attendance were Solicitor Chad Lubas, Engineer Dennis Smaglinski, Zoning Officer John Stine and Secretary/Treasurer Joni McPike.

ANNOUNCEMENT:

Chairman Berger informed the audience that this meeting is being recorded principally to aid in the preparation of the Minutes and for such other purposes as the Board sees fit. For that reason, each person wanting to give any comments during this meeting, please state his or her name and address for the record, and address your comments to the Board of Supervisors.

Chairman Berger informed the audience that Primary Election Day is Tuesday, May 20, 2014; polls will open at 7:00a.m. and close at 8:00p.m.

APPROVAL OF MEETING MINUTES:

Reading of the Minutes of the April 7, 2014, Regular Meeting was waived since copies of the Minutes were distributed before the meeting. On motion by Supervisor Hoppes, seconded by Supervisor Berger, and approved by both members, the Minutes are accepted as presented and the tape recording ordered to be erased.

EXECUTIVE SESSION:

The Board of Supervisors (Berger and Hoppes only) went into executive session from 7:00p.m. until 7:15p.m. to discuss personnel matters.

PLANS TO REVIEW:

Scattered Acres Sketch Plan for Record: On motion by Supervisor Hoppes, seconded by Supervisor Berger, and approved by all members, the Plan was approved and signed.

Folino Estate Winery – Component 2 Planning Modules: On motion by Supervisor Berger, seconded by Supervisor Hoppes, and approved by both members, to authorize Secretary McPike to sign the modules, which includes Resolution #2014-07 for approval.

Interstate Collision Center – Sketch Plan: Developer Dean Bruno, and Joseph Civitella, from McTish, Kunkel & Associates, were present. Supervisor Hollenbach joined the meeting by telephone at 7:45p.m. Mr. Civitella stated that after the zoning variance for Mr. Bruno's other property was approved, Mr. Bruno purchased property along Wessner Road from Metro Development, knowing this property was zoned Rural. Mr. Bruno is again asking the Board of Supervisors for their support in seeking a zoning variance to allow the use of an Auto Body shop in the Rural Zoning District on his newly purchased property located on Wessner Road.

Engineer Smaglinski stated this plan was reviewed at the Planning Commission meeting as a Sketch Plan on April 28, 2014, and their decision was to not take action on the plan because the proposed commercial use was not in compliance with the Zoning Ordinance. The Planning Commission did approve a motion to forward a recommendation to the Board of Supervisors that this request not be approved because Mr. Bruno holds an approval for this use on another property which was granted and warranted because of PennDot's taking, and was more appropriate in the Village District because of its mix of residential and commercial uses, where the Rural District provides for residential and agricultural uses. The Planning Commission felt there was no hardship and the recommendation was acted on and stated in their minutes that the request for zoning relief should not be approved.

Discussion was then held in regards to the status of the current plan, and at this time, the plan is frozen until the zoning issue is resolved. Mr. Bruno is looking for support for this use request from the Board of Supervisors. The Board of Supervisors agreed that a decision on this request is not under their jurisdiction and is a zoning issue that must go before the Zoning Hearing Board. On motion by Supervisor Berger, seconded by Supervisor Hollenbach, and approved by all members, the Board of Supervisors opposed the plan because the proposed commercial use was not in compliance with the Zoning Ordinance. The Board felt that Mr. Bruno's other property, which was previously approved for this use by the Zoning Hearing Board, was more appropriate for the use since it was zoned Village. The Board authorized sending Kozloff Stoudt to represent the Township at the Zoning Hearing for the denial of this use request for a variance for Mr. Bruno's new property.

Allen Madeira, Township Sewage Enforcement Officer, stated that a question from the Developer was raised as to a sewage-planning module being required for this plan. Mr. Madeira recommends to the Board that a sewage facilities planning module be required for this plan.

Supervisor Hollenbach terminated her telephone connection with the Supervisors' meeting at 8:00 p.m.

Monthly Subdivision & Land Development Plan Status Report: Report was reviewed; discussion was held regarding upcoming dates and deadlines for active plans. Monitoring of this report will continue. No action was taken.

HEARING VISITORS & PUBLIC COMMENT:

Allen Madeira, Township SEO: Announced that he is now the proud owner and president of Berks Enviro Tech and Envirotech & Associates, and thanked the Board for the opportunity to have served as sewage enforcement officer the Township for the last 24 years, and is committed to continuing the service established with the Township now and in the future.

Solicitor Lubas discussed Debra Day's property with Mr. Madeira, and asked if he is aware of any activity on the property. Allen stated he is not aware that there was anyone at the property. He will follow up with a visit to the property and will get back to the Board with his report.

Patty Bauscher: Mrs. Bauscher expressed her concerns about receiving a letter from the Township Solicitor stating she still needs to comply with the terms of her agreement with the Township for a special use of their second habitable dwelling. Mrs. Bauscher further stated that she has contacted the Township several times, and no one has contacted her to come out to inspect her property and confirm that she is in compliance according to the terms of her agreement. Mrs. Bauscher further stated that the dwelling unit is uninhabitable and she now uses the building strictly as a storage unit. The water and electric are turned off; however, she refuses to remove the shower and toilet, and disconnect the sewer line. She continues to insist that she is in compliance and wants her escrow money returned. Solicitor Lubas clearly explained to Mrs. Bauscher that the terms of her agreement state she must remove the shower, toilet and disconnect the sewer line, which is connected to the main septic line, to comply with her agreement. He further stated that the water and electricity are not listed in the agreement to be disconnected. Mrs. Bauscher stated she will not disconnect the sewer line. Solicitor Lubas reiterated that the terms of her agreement state that the dwelling must be made uninhabitable; meaning the shower, sink and septic line must be disconnected once the special use of the dwelling has ceased in accordance to the agreement. He further stated that someone from the Township will only go out to inspect Mrs. Bauscher's property once all the terms and conditions of her agreement have been met. If Mrs. Bauscher continues to refuse to comply with her agreement, then the Township has the ability to proceed with disconnecting those items listed in the agreement, using the escrow money for the costs incurred for the work as it is stated in the agreement.

Mr. Arnold Needham, 27 Sunrise Blvd; Mr. Needham again expressed his concerns about how loud Jake brakes are being used along Route 737. Mr. Needham stated he has called Senator Knowles, but received no response. Supervisor Berger stated he looked into it and he was informed that PennDot must do a study, and if the PennDot study warrants, it is the Township's responsibility to approve an ordinance and to buy, install and take care of the signs. There is a lot of money involved with this type of project, and the Township pays for most of it.

Frank Donchez, 36 Bower Road; inquired about garbage on property located on Bower Road, and his concerns with kids playing in the Trash, and the trash is spilling into the road. Supervisor Berger stated this complaint was addressed last month and the Township Zoning Officer was instructed to visit the property and report to the Township. John Stine stated he has visited the property and talked with the residents and they told him that the trash is not theirs. Discussion continued and the Board will continue to investigate the trash concerns on this property.

OLD BUSINESS:

Employee Policy Manual: This item is tabled until the next meeting. The Supervisors will look at their schedules and come up with meeting dates that they all can agree on.

Ethan Kunkle, Fire Chief of the Kempton Fire Co, Albany Township: Mr. Kunkle discussed with the Board items that were brought before him about signing off on the plans for Folino Estate Winery. He expressed concerns on behalf of the Fire Company with the plans and specifications related to the fire safety of the plans, and fire equipment access capabilities. He asks that the fire company be notified to have the opportunity to comment on the plans when the fire suppression system is addressed on the plan. Solicitor Lubas stated all the Township needs is a letter from Mr. Kunkle stating the fire company's requirements for single access and fire suppression needed on the plans. Mr. Kunkle will write a letter on behalf of the Fire Company, and submit it to the Board for their review.

Mr. Kunkle also gave the following loaded weight information for both their fire trucks and Virginville Fire Company's trucks to the Board: Kempton Fire Company's Tanker Truck is 58,600 lbs.; their Engine Truck is 42,000 lbs; Virginville Fire Company's Tanker Truck is 58,000 lbs, and their Ladder Truck is 48,000 lbs.

In addition, Mr. Kunkle discussed information pertaining to letters sent by Kutztown Ambulance Service and Berks County EMS; in regards to the County's radio system, and informed the Board that as of today, Berks County EMS Service went live with their new radio system. Mr. Kunkle further talked about the territories Kempton, Virginville and Kutztown Fire Companies currently cover, and the benefits of the new system. Mr. Kunkle expressed concerns about the possibility that Kutztown Ambulance Service might be cut off from Berks County's radio system, and then stated that on behalf of Kempton Fire Company; if needed they are willing to provide EMS service to their half of the Township, and mentioned that they spoke with Cetronia Ambulance Corps who are interested in setting up an ambulance service at the Weisenburg Fire Dept, which would be a benefit because of faster service time.

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Larry Weirsch, a representative of Cetronia Ambulance Corps was present and spoke to the Board about their service and the territories they cover. Supervisor Berger asked about Cetronia's radio system and does it work with the County's new radio system; Mr. Weirsch stated that their radio systems were upgraded and comply with most radio systems now. Mr. Kunkle stated that he will proceed to contact Kutztown Ambulance to confirm that they will continue to provide service, and if Kutztown Ambulance will not provide service, then Kempton Fire Company will make alternative arrangements so that Greenwich Township is covered for EMS service.

Discussion continued briefly regarding the options the Board will have to look at should Kutztown Ambulance Service not be a part of the Berks County's Radio system, and what alternatives are available for the Township should this happen.

Zettlemoyer Bridge: Supervisor Berger and Solicitor Lubas provided a summary of discussions they held with County Commissioner Barnhardt regarding a new option suggesting a lower weight rated, single lane bridge so that direct access can be made available. Commissioner Barnhardt will go back to their engineers and get back to the Township with an answer. Solicitor Lubas will follow up with the County and report to the Board with any additional information he receives regarding this new option for the Bridge. The Board of Supervisors strongly urges the residents to write, call and email to the County Commissioners about the importance of keeping the bridge open, and their individual hardships if the Bridge is gone. Copy the Township so we have record of these letters and communications to the County.

Supervisor Hoppes commented that he had attended a bridge workshop recently, and was informed that the State classifies all the truss bridges as obsolete; it was suggested that the Township should ask the County for a copy of the bridge inspection they did for Zettlemoyer Bridge. There is a possibility that the County did not have an inspection done on the bridge, but just shut it down for liability due to the obsolete classification by the State. Supervisor Hoppes also was informed that there is extra money available by the State to give to Counties to repair and/or put up new bridges. If the County's bridge inspection is not correct, it was suggested that the Township have its own inspection done for the bridge. The Board has instructed Solicitor Lubas to contact the County on behalf of the Township and request a copy of the Bridge inspection they performed for Zettlemoyer Bridge.

Zettlemoyer Road and the discussion from Todd Rousenberger, I-78 Project Manager: Supervisor Berger stated he received a phone call from Mr. Rousenberger who was upset that we did not go with PennDot's request for us to donate our portion of the monies PennDot was offering to the property owners and us for the to-be-vacated portion of Zettlemoyer Road, back to PennDot. So now, PennDot will remove the blacktop and backfill with dirt. They will put up guiderails at one end blocking access from 737 and the other end blocking access from Zettlemoyer Road. Then it will belong to the Township, and we can keep it or vacate it.

Resolution 2014-06 for the Hazard Vulnerability Assessment & Migration plan: Brief discussion was held regarding what this resolution was about. On motion by Supervisor Hoppes, seconded by Supervisor Berger, and approved by both members, to adopt Resolution 2014-06.

NEW BUSINESS:

Dean Bruno – Zoning Hearing Appeal application: This item was discussed under Plan Review. No action taken.

Seal Coat Road bid project: Discussion was held regarding the deadline dates and times to put in the advertising stating when the bids will be received, opened and awarded. The Board discussed and decided to advertise in the Kutztown Patriot newspaper for the dates of Thursday, 5/15/14, and 5/22/14, stating the deadline to receive the bids is Monday, 6/2/14 at 3:00pm, and the Board will open and award the bids at their regular scheduled meeting that same evening at approximately 7:30pm.

Kutztown Folk Festival: has requested to put signs up at Routes 737 and 78, starting June 24, 2014 to July 8 2014, for their festival. The Board directed Secretary McPike to send a letter to them stating the sign request has been approved.

Service Electric Cable Co. – Telephone and internet services for the Township: We are waiting for additional information. This item was tabled until next month.

REPORTS:

Emergency Management Coordinator: Harry Hoppes stated nothing to report.

Zoning Officer: John Stine presented the Zoning Officer's report for April 2014; on motion by Supervisor Hoppes, seconded by Supervisor Berger, and approved by both members, the report was accepted as presented.

Roadmaster: Bobby Follweiler reported that he and possibly two Supervisors would be attending the Road material bid meeting at Maxatawny Township on Monday, May 12, 2014 at 3:00pm to open and accept the bids for aggregate and blacktop. Bobby thanked Harold Kehl for all his help these last couple of weeks, he has been a big help to Bobby.

Solicitor: Chad Lubas presented a draft-zoning ordinance for the Board's review. Discussion was held regarding the updates and changes. The Board tabled adoption of this ordinance until their next meeting on June 2, 2014. On motion by Supervisor Berger, seconded by Supervisor Hoppes, and approved by both members, to advertise the zoning ordinance amendments as presented.

Solicitor Lubas also stated in regards to the PennDot permit revision for the flashing signals at the Elementary School, which lists us as the owners of the elementary school signals. The School district has filed objections and is fighting PennDot's plans for the layout of the relocated Zettlemoyer Road, so there is no permit application for the Board to sign at this time. Engineer Smaglinski stated that he received a call from Peter McCourt of McMahon Associate's office regarding the status of this permit; and responded back to them that the School District has an issue with the road design and that we were legally advised not to proceed with the permit application.

Solicitor Lubas also announced that this is the last Township meeting he is attending because he started today as a deputy state judge advocate. Mr. Daniel Becker of Kozloff Stoudt; will be attending the Township meetings going forward. The Board and staff expressed their thanks and gratitude to Mr. Lubas for all his hard work he has done over the years for the Township and wished him good luck and all the best in the future.

Engineer: Dennis Smaglinski presented an updated draft Township fee schedule for the Board's review, and gave a brief overview of the suggested fee changes to certain types of situations. Discussion and possible approval has been tabled to the next Board meeting on June 2, 2014.

FINANCIAL MATTERS:

Approval of Escrow release request: None at this time

Approval of bills & transfers: on motion by Supervisor Hoppes, seconded by Supervisor Berger, and approved by all members, the bills and transfers totaling \$145,962.17, were ordered to be paid as presented for the period of 04/08/14 to 05/05/14.

Treasurer Report: Tabled to next month's meeting.

CORRESPONDENCE TO ACKNOWLEDGE:

None at this time

New Employee Hires:

A motion by Supervisor Hoppes has been made to hire David Kistler as a full time road crew employee with a pay rate of \$17.00 per hour for a 4-month probationary period, then at the end of that time the Board will reevaluate his salary.

A motion by Supervisor Hoppes has been made to hire Larry Moyer as a part time road crew employee with a pay rate to be the same as the other part-time employees (\$18.50 per hour), and to start immediately on an as-needed basis.

Both motions were seconded by Supervisor Berger, and approved by all members.

Other Matter:

The Board was reminded about the request from Staff for a Township purchasing policy to be established. The Board has instructed Secretary McPike to add this topic on next month's agenda. Discussion was held about reviewing other policies from several different agencies for examples and ideas of what spending levels are recommended for Townships.

ADJOURNMENT:

On motion by Supervisor Hoppes, seconded by Supervisor Berger, and approved by all members, the meeting was adjourned at 10:25p.m.

Respectfully submitted,

Joni D. McPike
Secretary/Treasurer

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