

**District Township Supervisors
Business Meeting
October 18, 2022**

BUSINESS MEETING CALL TO ORDER

Vice-Chairman Leonard Robb called to order the District Township Board of Supervisors Business Meeting, held at 202 Weil Road, Boyertown, PA at 7:01 p.m. Present were Vice-Chairman Leonard Robb, Supervisor Ron Leibowitz, Solicitor Gene Orlando, Engineer John Weber, Emergency Management Coordinator Tim Adam, Secretary Elaine Schwien and Assistant Secretary Kim Schroeder. Four members of Eastern Berks Fire Department attended (EBFD). Residents Jeffrey Miller, George Benjamin and Norman Burkholder also attended.

*Chairman Ed Overberger arrived at 7:34 p.m.

AGENDA

The October 18, 2022 Business Meeting agenda was posted to the District Township website and municipal building on 10/17/22.

MINUTES

A motion was made by Mr. Robb, seconded by Mr. Leibowitz, to approve the minutes of the September 15, 2022 Business Meeting. All in favor.

PUBLIC PARTICIPATION

➤ **Jeffrey Miller**

Mr. Miller spoke to the Board regarding the letter he received to cease operation of his roadside farm stand. The letter indicates the farm stand does not appear to be in accordance with the District Township Zoning Ordinance. Solicitor Orlando noted the Zoning Ordinance definition referenced in the letter follows exactly the PA Right to Farm Act definition. Discussion ensued regarding various criteria for a roadside farm stand. Mr. Miller indicated he can make a yearly gross income of at least \$10,000 with high value crops. Per Mr. Weber, 50% of the product must be produced on the property, off-street parking must be provided with not less than 5 spaces (with a turnaround) and the farm stand must be at least 50 feet from the road right-of-way. The issue of vehicles parking along Huffs Church Road, blocking driveways, was discussed at length. Per Mr. Miller, this issue has been resolved with educating people where to park. Mr. Overberger stated the Supervisors have an obligation to public safety. Huffs Church Road is the most heavily traveled road in the Township with serious injury/fatality accidents occurring in that stretch in recent years. Discussed the requirement for a PennDOT Highway Occupancy Permit for a commercial operation. Mr. Benjamin and Mr. Burkholder spoke in support of the farm stand operation.

Mr. Miller will need to cease the farm stand operation or provide evidence of compliance with the Zoning Ordinance. He may seek relief/appeal to the Zoning Hearing Board.

➤ **EBFD**

Chief Mutter provided a packet of information (factual data sheets) for the Board to review. Brief discussion on EBFD finances and future planning (purchase land, building, etc.). Continued discussion/consideration of a possible fire/emergency services tax. The Board would like to have more community engagement in this discussion. Possible question on the ballot or some type of meetings next year.

SOLICITOR – Eugene Orlando

Act 57 Amending the Local Tax Collection Law: Solicitor Orlando reviewed Act 57 with the Board, providing a draft resolution for their consideration to approve at the November meeting.

Fire Tax/Emergency Services Tax: No further discussion. At this time, remove from the agenda.

ROADMASTER - Ed Overberger

Onroad Rebate Program/New Truck: Imminent delivery on the new truck per Mr. Overberger. Waiting on communication from the upfitter regarding the dump body.

Municibid Auction Results on the 1995 Gledhill Snowplow: Mr. Overberger made a motion to award the sale of the 1995 Gledhill Snowplow to Benson Probst of 668 German Road, Lock Haven, PA, in the amount of \$2,050 as per the Municibid bidding process, on condition that Mr. Probst submits the full payment of \$2,050, via certified check payable to District Township, within 5 business days of the award, and the plow must be picked up within 10 calendar days, or the award will be forfeited to the second highest bidder. Seconded by Mr. Leibowitz. All in favor.

Selling the 2017 Ford F-550 4x4 XL HD Dump Truck on Municibid: The Board discussed the timing of selling the 17 Ford F-550 versus delivery of the new truck with upfitting to be done. Mr. Leibowitz made a motion to authorize Mr. Overberger, Chairman of the Board, upon completion of the advertisement and assurance of the delivery of the new Chevrolet truck, authorization to sell the 17 Ford F-550 on Municibid. Seconded by Mr. Robb. All in favor. Mr. Overberger will rewrite the add, working with the Assistant Secretary.

ZONING OFFICER – John Weber

Small Wireless Facilities Act: No further update.

813 Huffs Church Road: No further discussion. See comments in public participation.

177 Conrad Road: The BCCD was out for a second inspection of the property, and everything has been stabilized. The BCCD is waiting on the submission of an E&S Plan.

810 Delong Road: The property owner will be applying for a variance for the reduced side yard setback (pool already installed).

889 Delong Road: Status quo. LTL will continue to monitor.

PLANNING COMMISSION—Piper Sherburne

No report.

ENVIRONMENTAL ADVISORY COMMITTEE—Piper Sherburne

Spotted Lanternfly: No report.

Beech Leaf Disease: No report.

BUILDING COMMITTEE-Leonard Robb

Water Softener Maintenance: Mr. Robb made a motion to engage Martin Water Conditioning for the annual service to the water system for a cost up to \$250. Seconded by Mr. Leibowitz. All in favor.

RECREATION-John Burger

EMERGENCY MANAGEMENT – Tim Adam

EBFD quarterly report provided; responded to 5 calls in District Township in the month of September.

911 Reflective Sign Mailing: Letter was sent to the township residents. Great response so far per Mr. Adam. He is working with EBFD on red address sign inspections.

TREASURER REPORT – Karen Krall

Elaine Schwien reported:

As of September 30, 2022 the balances were:

General Fund	\$ 763,654.17
State Fund	\$ 205,544.05
Capital Reserve	\$ 264,547.13
Culvert Bridge Fund	\$ 252,934.89
American Rescue Plan Fund	<u>\$ 149,424.80</u>
Total	\$ 1,636,105.04

Status of Escrow Accounts:

904/906 Huffs Church Road Balance: Schwien \$250/Miller \$250.

DISBURSEMENTS

Total General & Payroll Fund Disbursement: \$38,662.41

Total State Fund Disbursement: \$0

A motion was made by Mr. Robb to pay the bills in the amount of \$38,662.41. Seconded by Mr. Leibowitz. All in favor.

OLD BUSINESS

Stenographer Transcript for Meitzler/Bales ZHB Meeting: Mr. Overberger made a motion to approve the additional cost of the Meitzler/Bales ZHB transcript from up to \$250 to the actual cost of \$326.60. Seconded by Mr. Robb. All in favor.

Appraisal Agreement with Industrial Appraisal Company was Approved at the July BOS Meeting (for insurance valuation purposes on the Municipal Building): Appraiser completed inspection on 10/6/22.

American Rescue Plan Fund – Budget Resolution: Tabled until ready for disbursement.

NEW BUSINESS

Barbara Akins CPA Audit Engagement Letter for 2022/Advertisement: Mr. Overberger made a motion to engage Barbara Akins CPA to perform the annual audit at a cost of \$650 for the Tax Collector’s records and \$4,045 for the Township’s records as per the proposal dated 9/21/22 and to advertise accordingly. Seconded by Mr. Robb. All in favor.

Document Management/Digital Migration: Scantek Zoom demonstration scheduled for 11/1/22 at 11 a.m.

PUBLIC PARTICIPATION

Public Comment: None further.

ADJOURNMENT

With no further business to come before the Board, there was a motion made by Mr. Overberger, seconded by Mr. Robb, to adjourn the business meeting at 9:26 p.m. All in favor.

Respectfully submitted,

Elaine Schwien, District Township Secretary