

January 7, 2013

The regular meeting of the Honey Brook Township Board of Supervisors was called to order by Chairman Joe Fenstermacher at 6:43 p.m. Supervisors John McHugh and Lew Wertley were also present, as was Township Administrator Antoinette Antonini and Township Engineer Michael Reinert.

**Consent agenda.**

Minutes of the December 12, 2012 regular meeting; bills/receipts; treasurer’s report.

Joe Fenstermacher had questions on items on the bills list regarding the Tabas Tract and the H.A. Thompson bill. Toni Antonini advised the H.A. Thompson bill was for the treasurer’s bond, required and set by township code. Don Johnson advised the bill for tree removal was for a bucket truck job (equipment not on hand) by Wills Property Maintenance.

Joe Fenstermacher made a motion, seconded by John McHugh, to approve the consent agenda. All in favor. Motion carries.

**Treasurer’s Report as of December 31, 2012**

Dec-  
2012  
Treasurer's Report

Assets--Gen Fund	919,785	General Fund Receipts	\$124,205.33
Assets--Cap Reserve	959,249	General Fund Expenditures	\$119,288.24
Assets--Op Reserve	350,558		
Assets--State Fund	217,725	Cap Reserve Receipts	\$26,009.77
Assets--Land Pres	1,233,077	Cap Reserve Expenditures	\$62,587.02
<b>Total Assets</b>	<b>\$3,680,393</b>	Op Reserve Receipts	\$59.54
		Op Reserve Expenditures	\$0.00
		State Fund Receipts	\$101,654.55
		State Fund Expenditures	\$0.00
		Land Pres Fund Receipts	\$41,122.49
		Land Pres Fund Expenditures	\$158,837.52
		<b>Sinking Fund (Loan)</b>	
		Assets	\$17,302
		Liabilities	\$4,103,972
		<b>Land Preservation (Loan)</b>	
		Assets	\$0.00
		Liabilities	\$1,340,255.81

  

<b>Assets in Restricted Account</b>	
Gen Fund--Recreation	59,704
Gen Fund--Hlth Reimb	2,743
Land Pres Fund	1,233,077

  

Liabilities--Gen Fund	105,373
Liabilities--Cap Reserve	1,006,060
Liabilites--Op Reserve	0
Liabilities--State Fund	105,179
Liabilities--Land Pres	656,577
<b>Total Liabilities</b>	<b>\$1,873,189</b>
Equity--Gen Fund	814,412
Equity--Cap Reserve	-46,811
Equity--Op Reserve	350,558
Equity--State Fund	112,546
Equity--Land Pres	576,500
<b>Total Equity</b>	<b>\$1,807,204</b>

<b>Less Restricted Acct</b>	638,946	<b>Suplee Turnback (State)</b>	
<b>Working Capital</b>	<b>\$1,168,258</b>	Assets	\$18.52
		Expenses	\$0.00

### **Departmental Reports.**

#### **Roadmaster Don Johnson:**

No report this month.

John McHugh noted that Dan Bailey appointed to Parks & Recreation Committee last month. Bob McMinimie will be forwarding his resume for appointment. The Committee will then have 5 members.

#### **Announcements.**

Township offices will be closed on January 21<sup>st</sup> for Martin Luther King Day.

#### **Open Forum.**

James Herb, of Horseshoe Pike, reported late-night shooting incidents. From Saturday night into Sunday morning on January 5-6, he heard 10 shots in a row. It also happened over the weekend of hurricane Sandy (October 27-28), when he heard 20 shots. He wanted to get the word out that if anyone hears late-night shooting, they should call the game commission. Joe Fenstermacher recommended residents dial 9-1-1 in those instances for an immediate response.

Bob Klinger, deputy fire chief, had statistics to report. Honey Brook Fire Company saw 31 fire calls in December 2012, for 23 hours of service. In 2012, HBFC ran 362 fire calls, 180 in Honey Brook Township, with \$160,000 of fire loss. There was an average of 12 firemen per alarm. 2,000 training hours were also logged. Overall, the HBFC put in 20,000 manhours. In 2012, there were 1,526 ambulance calls, 961 in Honey Brook Township. He also announced that January 19 is the Amish wedding dinner at 2:30 p.m.

Levi Kauffman, Beaver Dam Road, stated he received a notice of violation dated Dec. 26, 2012 regarding his kennel use on his property. He stated that he put the building up 3 years ago and the letter states his kennel use was not granted conditional use approval by the Board of Supervisors. Levi Kauffman stated that if he knew that something was not taken care of, he wasn't aware of it. He stated he feels like he is guilty of something and needs some more days to resolve it than what's been given. Toni Antonini stated that this issue was discovered reviewing property files in the Township. Mike Reinert stated that in 2009, a zoning amendment was approved requiring a conditional use hearing for kennels. Prior to this amendment, a special exception from the Zoning Hearing Board was required for a kennel, however no approvals were ever given for this use on this property. Mike Reinert further stated that he did have a site meeting with Joe Fenstermacher and the Zoning Officer present along with land owner Levi Kauffman in early December. The letter was issued as a normal procedure to lay out the steps that would need to be taken to come into compliance. Joe Fenstermacher asked what time period was given. Mike Reinert stated the letter provided Levi Kauffman with 15 days

from receipt of the letter to file a conditional use hearing application. To date, a hearing has not been requested. Joe Fenstermacher asked Levi Kauffman if he was claiming hardship. Levi Kauffman said absolutely. He would like at least another 120 days. John McHugh made a motion, seconded by Joe Fenstermacher, to extend the time Levi Kauffman has to file for a conditional use hearing to 120 days from 15. All in favor. Motion carries.

Toni Antonini mentioned that a staffer for Congressman Meehan had asked if the Township Administration building could be used as a satellite office once a week. Toni Antonini said she had no problem with it and was polling the board for their thoughts. All three supervisors were in agreement for Meehan's staff to use the building.

### **Business.**

#### **Approve/not approve conditional final plan—Azer Scientific Land Development (TPN #22-3-24.3).**

Mike Reinert showed a plan of the site and gave the Board an orientation of the Azer Scientific property, formerly the Kemper property. Chemical manufacturing is part of Azer's use. They wish to expand in two phases, to the rear of the property and to the north. In 1984, a land development plan for an office was filed. In 2005-2006, the site was revisited by the Township when the site expanded its impervious surface beyond what is allowed by zoning, and they were issued a Notice of Violation. At that time, stormwater controls were installed as part of the enforcement process. These proposed expansions are to be located on already-impervious surface with an additional 3,000 square foot of gravel.

The site is serviced by public sewer & water. The Township Engineer issued a review letter dated December 19, 2012. Additional parking spaces will be proposed to bring the property into compliance following construction of the additions. The stormwater management plan is still in compliance, as the additions bring the site to 49% impervious surface. Ten additional trees will be required to be planted to act as buffer between Azer's property and the Myers Trucking property as recommended by the Planning Commission. No waivers are being requested, just the additional tree plantings.

Joe Fenstermacher made a motion, seconded by John McHugh, to approve the conditional final plan of Azer Scientific based on compliance with the Township Engineer's review letter and the addition of ten trees along the rear property boundary with Myers Trucking. All in favor. Motion carries.

#### **Poplar Realty grant/not grant extension request to April 23<sup>rd</sup>, 2013—Tabas Tract (22-8-52).**

Joe Fenstermacher made a motion, seconded by John McHugh, to grant an extension to Poplar Realty for review and action on their subdivision plan until April 23, 2013. All in favor. Motion carries.

#### **Support/not support/take no position on Berks County Communication Tower variance request (TPN #22-2-117-E).**

Mike Reinert stated that this is a topic that the Planning Commission has already discussed. A few months ago, a request had been made to waive the land development process. Now an application has been made to the Zoning Hearing Board for a special exception to have tower & a number of variances (per the list in the applicant's application).

Kim Freeman of Fox Rothschild, attorney on behalf of Berks County, asked the Board of Supervisors if they had questions related to the communication tower use. Currently, the land is owned by the Pennsylvania Turnpike Commission; Berks County will be a lessee. The purpose of the project is to provide better communications for first responders within the County. Lew Wertley asked what county is to be served by the tower. Kim Freeman advised it was Berks County. Tori Lingg asked where the tower was to be built. Kim Freeman advised that it is on Welsh Hill off Morgantown Road. The tower is proposed to be 145' high with a 4' lightning rod. Mike Reinert advised that the Planning Commission took the position of no position on the application. They noted some concern over the variances for tree removal and the bond for the project.

Lew Wertley made motion, seconded by John McHugh, to take the position of no position. All in favor. Motion carries.

**Appoint/not appoint John Gallagher to Honey Brook Community Library Board of Trustees.**

Toni Antonini advised that John Gallagher's resume was in the board packets along with a cover letter from Paul McGinness stating that the Library Board recommends John to the Board.

John McHugh made a motion, seconded by Joe Fenstermacher, to appoint John Gallagher to the Honey Brook Community Library Board of Trustees. All in favor. Motion carries.

**Approve/not approve Tax Parcel 22-4-11, 22-4-47 and 22-4-77.1A (80.7 acres)  
Challenge Grant program; Approve/not approve Tax Parcel 22-9-19 (73.9 acres)  
Challenge Grant program; Approve/not approve Tax Parcel 22-4-67 (30.6 acres)  
Challenge Grant program**

Max Dobles of the Land Preservation Committee made note of the next three agenda items, the three farms in Honey Brook Township which have made an application for a challenge grant. The first farm is comprised of three parcels.

Joe Fenstermacher asked how one farm could have several tax parcel numbers.

Max Dobles advised that sometimes a parcel can be 100 acres, other times, 100 acres can be made up of several parcels.

Toni Antonini advised that the various tax parcel numbers could be the result of subdivision or a street bisecting the property.

Max Dobles noted that these three applicants places the Land Preservation fund in the negative, but with unencumbered monies, the Township can handle it even if all the farmers ask for all the money now.

John McHugh noted that as far as replenishment of the fund, the Township sees revenue come in monthly.

Toni Antonini confirmed.

Bob Witters, of Tel Hai, asked what the Challenge Grant was in relation to Land Preservation.

John McHugh noted that the Challenge Grant is part of the Land Preservation program and is a grant program run by Chester County.

**Approve/not approve TPNs # 22-4-11, 22-4-47, and 22-4-77.1A (80.7 acres) for Challenge Grant Program.**

Joe Fenstermacher made a motion, seconded by John McHugh, to approve TPNs #22-4-11, 22-4-47, and 22-4-77.1A for the Challenge Grant Program. All in favor. Motion carries.

**Approve/not approve TPN # 22-9-19 (73.9 acres) for Challenge Grant Program.**

Joe Fenstermacher made a motion, seconded by John McHugh, to approve TPN #22-9-19 for the Challenge Grant Program. All in favor. Motion carries.

**Approve/not approve TPN # 22-4-67 (30.6 acres) for Challenge Grant Program.**

Joe Fenstermacher made a motion, seconded by John McHugh, to approve TPN #22-4-67 for the Challenge Grant Program. All in favor. Motion carries.

**Final Open Forum.**

Terry Schmidt, of Mount Pleasant Road, noted that a tree had come down on his power line. He wanted to thank the Township for taking care of it, as P P&L wouldn't and Verizon wouldn't.

John McHugh asked if the issue from last month was still open.

Terry Schmidt said that yes, it was.

John McHugh noted that there were some concerns raised at town hall meetings that the Board will look to address. One was reestablishing a police department, another was creation of a task force for the comprehensive plan work with Honey Brook Borough.

John McHugh asked if the Board had come up with goals & objectives for the 2013.

Dick Reeder, Tel Hai, requested a release schedule for when the newsletter is to come out. Also, when updates for the website will happen.

Toni Antonini advised the next newsletter would come out in early spring.

John McHugh noted that if anyone had ideas for the newsletter, to submit them to the Administration office.

Joe Fenstermacher mentioned that he had suggested the Planning Commission be limited to 5 members & an alternate rather than the current 7. In investigating the issue, 13 surrounding townships have 5-member Planning Commissions. This would make the group less bulky & fewer members would need to attend to legally have quorum. This will be put up for public discussion.

John McHugh suggested the notion would be a good topic for comprehensive plan task force. Bob Witters had advised his interest in helping with the comp task force.

**Upcoming Meetings:**

January 15<sup>th</sup>—Land Preservation Committee monthly meeting (8:00 am) and annual farmers' breakfast (9:00 am)

January 17<sup>th</sup>—Park and Recreation Committee (7:00 pm)

January 21<sup>st</sup>—Zoning Hearing Board (7:30 pm)

January 24<sup>th</sup> – Planning Commission Regular Meeting (7:00 pm)

February 13<sup>th</sup> – Board of Supervisors Regular Meeting (6:30 pm)

Motion by Joe Fenstermacher, seconded by John McHugh, to adjourn the meeting. All in favor. The meeting adjourned at 7:27 pm.

Respectfully submitted,

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Kristy J. Deischer-Eddy  
Recording Secretary