

Greenwich Township Board of Supervisors
Monday September 3, 2024 @ 7:30 p.m.

Attending: Supervisors: Dean Spohn, Victor Berger, Steven Diehl Professional Staff: Colin Macfarlane-Kozloff Stoudt P.C., Michael Bingham – Systems Design Engineering, Inc., Brad Pflum – LTL Consultants, and Diane Hollenbach-Administrator

Guests: Marc and Dodie Sable, Andrew Dietrich, Linda Wood, Matt Brett, Todd Evans and Max Bashore

Mr. Spohn called the Greenwich Township regular meeting to order at 7:30 p.m. and asked everyone to rise for the Pledge of Allegiance.

ANNOUNCEMENTS:

Please state your name and address if addressing the Board. This meeting will be recorded for the accuracy of the minutes and deleted. Attending visitors may also be recording.

APPROVAL OF THE MINUTES:

A motion was made by Mr. Diehl, seconded by Mr. Berger, to approve the minutes of the August 5, 2024 regular meeting. All voted in favor. Motion carried.

PERSONAL APPEARANCES and PUBLIC COMMENT:

Matt Brett, Emergency Management Coordinator/Kempton Fire Company Chief – Mr. Brett presented data on calls responded to in Greenwich Township from 2021 to 2024, the estimated cost for Greenwich Township to have its own fire company, lack of volunteers from Greenwich Township and that about \$11,000 is received in donations above the fire tax. The three fire companies were represented at the meeting and a .5 mill increase to the fire tax was suggested. That would bring the fire tax millage to .8.

PLANS TO REVIEW: The monthly Subdivision and Land Development Status Report was reviewed.

Leid Poultry Preliminary Plan Time Extension

A motion was made by Mr. Berger, seconded by Mr. Diehl, to accept the developer's offer of an extension of time until December 2, 2024, to the review period for the Leid Poultry Barn Preliminary Land Development Plan. All voted in favor. Motion carried.

OLD BUSINESS:

Gun Club Road Bridge - The Board instructed Mr. Bingham to get numbers on the bridge replacement from Contech.

H & K Agreement

A motion was made by Mr. Berger, seconded by Mr. Diehl to approve the extension of the contract with H & K until September 21, 2024 for seeding and grading and October 1, 2024 for paving of the parking lot with notice to H & K to vacate the site by December 31, 2024 or the township will explore a monthly rent charge and the administrator to inquire about how the seeding will be done. All voted in favor. Motion carried.

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NEW BUSINESS:

Resolution 2024-14 Category 4 LSA Grant

A motion was made by Mr. Diehl, seconded by Mr. Spohn, to adopt Resolution 2024-14 requesting a Category 4 Facilities Local Share Assessment for the purchase of a truck in the amount of \$283,569.00 and designating the officials to execute documents. Mr. Diehl and Mr. Spohn voted in favor. Mr. Berger abstained. Motion carried.

REPORTS:

Administrator – A written report was provided. A meeting was held with BCIU on their per capita tax collection program. A quote will be provided and then we will be able to determine the overall cost of collecting the tax without assistance from the Kutztown Area School District.

Township Bank Accounts – A meeting was held with New Tripoli Bank. Their certificate of deposit rate was 5% APR but the rate on the money market accounts was less than 1%. Rates were sought from other banks and PLGIT remains the highest at 5.09% with another local bank offering 4.75%.

A motion was made by Mr. Berger, seconded by Mr. Diehl to approve the roll over of the certificate of deposit for 11 months at New Tripoli Bank and to transfer the General Fund Money Market, Fire Tax Money Market and Capital Reserve to the institution with the highest interest rates. All voted in favor. Motion carried.

Road Master - No report

Engineering and Zoning Reports – A written zoning report was provided by Mr. Pflum. A written engineering report was provided by Mr. Bingham.

Nolt Duck Barn Letter of Credit

A motion was made by Mr. Diehl, seconded by Mr. Berger, to approve the final letter of credit release for the Nolt Duck Barn in the amount of \$12,874.65. All voted in favor. Motion carried.

407 Old Rt 22 parking plan – The property owner received a variance to have a Blenderie with tables. The parking at 407 Old Route 22 is noncompliant with township ordinances. There have not been any complaints in the last year from the neighboring development. The current owners of the property may not be holding the same type of events as previous owners did.

A motion was made by Mr. Berger, seconded by Mr. Diehl, to authorize LTL to send a letter, subject to the review of the solicitor, to the property owners of 407 Old Route 22 acknowledging that their parking is noncompliant with township ordinances, and if parking becomes an issue in the future, the owner may be forced to add more parking. All voted in favor. Motion carried.

927 Krumsville Road condemnation - Mr. Pflum asked if the Board wished him to take the next step and file a civil complaint for 927 Krumsville Road. The Board directed Mr. Pflum to first determine if someone is living in the home.

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Solicitor

Zerfass Sketch Plan Appeal Settlement Agreement – The plan was denied because it created an awkward property line. The denial was appealed to the Berks County Court. A settlement agreement has been proposed where the Board of Supervisors approves the plan if the property owners obtain a NPDES permit and construct storm water improvements to correct previously clearing more than an acre of land without a NPDES permit. The matter was tabled for executive session.

Rosse Zoning Hearing Appeal – The property owner has appealed the Zoning Hearing Board’s decision to Berks County Court. The township can get involved in the appeal. If the township does not intervene, the Zoning Hearing Board solicitor will defend the case and if the courts find against the township, the matter cannot be appealed to a higher court. If the township decides to intervene and loses, the matter can be appealed to a higher court. The matter was tabled for executive session.

Joint Comprehensive Plan – The agreement had been discussed with the County. They feel that if one municipality does not adopt the Joint Comprehensive Plan, the others may still do so. The Supervisors had concerns about meeting length and getting to the end of the process and having a plan they could not adopt. Albany Township has withdrawn from the Joint Comp Plan. The Board of Supervisors felt that a plan in the future with Albany Township and Lenhartsville Borough could be a better fit. They asked that the County Planning Commission be informed that they were not signing the agreement.

FINANCIAL MATTERS:

A motion was made by Mr. Diehl, seconded by Mr. Berger, to approve the bills and accept the Treasurer’s Report as presented. All voted in favor. Motion carried.

A motion was made by Mr. Berger, seconded by Mr. Diehl, to refund \$2,147.59 to close the 154 Sunday Road Driveway Escrow. All voted in favor. Motion carried.

A motion was made by Mr. Diehl, seconded by Mr. Berger, to refund \$1,761.62 to close the 73 Wiltrot Road Escrow. All voted in favor. Motion carried.

A motion was made by Mr. Diehl, seconded by Mr. Berger, to refund \$1,182.55 to close the Dollar General Review Escrow. All voted in favor. Motion carried.

A motion was made by Mr. Diehl, seconded by Mr. Berger, to refund \$907.55 to close the Greenwich Commons Review Escrow. All voted in favor. Motion carried.

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A motion was made by Mr. Berger, seconded by Mr. Diehl, to refund \$99.84 to close the A & C Truck Repair Road Vacation Escrow. All voted in favor. Motion carried.

EXECUTIVE SESSION 9:06 to 9:21 p.m.

Zerfass Settlement Agreement

A motion was made by Mr. Diehl, seconded by Mr. Spohn, to authorize the execution of the Zerfass Settlement Agreement conditional upon the execution of the agreement by Chris and Arianne Zerfass. All voted in favor. Motion carried.

Rosse Zoning Appeal

A motion was made by Mr. Spohn, seconded by Mr. Berger, not to intervene in the Rosse Zoning Appeal and notify Attorney Orlando of the Board's decision. All voted in favor. Motion carried.

Having no further business, Mr. Spohn adjourned the regular meeting at 9:30 p.m.

Respectfully Submitted,

Diane Hollenbach

Administrator/Secretary/Treasurer