

**Tulpehocken Township  
Board of Supervisors  
Meeting of April 13, 2016**

The Tulpehocken Township Board of Supervisors met on April 13, 2016 in the Township meeting room at 7 P.M. In attendance and voting were Supervisors: Chairman Gary Deck, Vice Chairman Richard Kramer and Supervisor Lester Feick. Also present were Kris Kerschner, Police Chief and Christy Flaherty, Township Secretary/Treasurer.

Members of the audience included: Ron Snyder, Lloyd Schneck, Chuck Snyder, Jon Zinn, Harry Reinhold, Geneva Aulenbach, Reading Eagle and representatives from Meadow Springs Meeting House.

**CALL TO ORDER**

Chairman Gary Deck called the meeting to order at 7:00 P.M.

The meeting continued with the pledge to the American Flag.

**PUBLIC COMMENTS**

Mr. Schneck commented with regards to there being a feline problem in the town of Rehrersburg; noting that one of Vice Chairman Kramer's tenants is feeding stray cats. Chief Kerschner reported that he didn't think that the Animal Rescue League of Berks County would come out to address the problem, but advised that he would contact them. Chairman Deck advised that the Board would look into Mr. Schneck's concerns. Mr. Schneck thanked the Board for agreeing to look into the matter.

**APPROVAL OF MINUTES**

*Supervisor Feick made a motion to approve the minutes from the March 9, 2016 Board of Supervisors meeting. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

*Supervisor Feick made a motion to approve the minutes from the March 16, 2016 meeting between the Bethel Township and Tulpehocken Township Board of Supervisors regarding a police merger. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

**ADMINISTRATIVE ACTIONS**

**Planning Commission**

***Meadow Springs Meeting House (Conditional Plan approval – February, 2016) – Need to sign plan and agreements***

*Vice Chairman Kramer made a motion to authorize the Chairman to sign the agreements and for the Board to sign the plan. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

*Glen Hoover Dairy Operation: Time expires May 4, 2016. The Planning Commission reviewed the Township Engineer's review letter dated April 7, 2016. The Township SEO (Sewage Enforcement Officer) needs to verify the location of the existing septic system for the house and determine if it is functioning properly.*

*Red Barn Engineering presented a note for a Stormwater Management Easement. The Township Solicitor would like the note to state: The Stormwater Management Easement shown on this plan sheet is hereby granted and is a covenant which runs with the land. It is the owner's responsibility to maintain all stormwater management facilities shown and constructed on their property in conformance with the design condition. The stormwater management facilities shall be maintained in conformance with the operations and maintenance notes on sheet 201 and recorded at the Berks County Courthouse.*

*Under the general comments the Township Engineer stated that they are to label the future proposed buildings. The Nutrient Management calculations are based on current animal units. The Solicitor stated that there should be a note stating that the Nutrient Management Act review was based on current animal units not the proposed heifer barn. If a new heifer barn is constructed, then a new Nutrient Management Plan needs to be obtained and provided to the Township.*

*Scott Hetrick made a motion to recommend to the Board of Supervisors to grant conditional final plan approval with the conditions listed below. Ray Daub seconded the motion. All in favor, motion carried:*

- *Ludgate Engineering review letter dated April 7, 2016*
- *Financial and Stormwater agreements*
- *The Stormwater Management Easement note. The Stormwater Management Easement shown on this plan sheet is hereby granted and is a covenant which runs with the land. It is the owner's responsibility to maintain all stormwater management facilities shown and constructed on their property in conformance with the design condition. The stormwater management facilities shall be maintained in conformance with the operations and maintenance notes on sheet 201 and recorded at the Berks County Courthouse.*
- *The Nutrient Management note. The Nutrient Management calculations are based on current animal units. The Solicitor stated that there should be a note stating that the Nutrient Management act review was based on current animal units not the proposed heifer barn. If a new heifer barn is constructed, then a new Nutrient Management Plan needs to be obtained and provided to the Township.*
- *The Township needs to obtain a correspondence from Jackson Township waiving the review of land development.*

*Supervisor Feick made a motion to grant Conditional Final Plan approval with the conditions listed below:*

- *Ludgate Engineering review letter dated April 7, 2016*
- *Financial and Stormwater agreements*
- *The Stormwater Management Easement note. The Stormwater Management Easement shown on this plan sheet is hereby granted and is a covenant which runs with the land. It is the owner's responsibility to maintain all stormwater management facilities shown and constructed on their property in conformance with the design condition. The stormwater management facilities shall be maintained in conformance with the operations and maintenance notes on sheet 201 and recorded at the Berks County Courthouse.*
- *The Nutrient Management note. The Nutrient Management calculations are based on current animal units. The Solicitor stated that there should be a note stating that the Nutrient Management act review was based on current animal units not the proposed heifer barn. If a new heifer barn is constructed, then a new Nutrient Management Plan needs to be obtained and provided to the Township.*
- *The Township needs to obtain a correspondence from Jackson Township waiving the review of land development.*

*The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

***Scott Hetrick made a motion to recommend to the Board of Supervisors to grant the 90 day time extension request. This would give a new date of August 2, 2016. Gary Deck seconded the motion. All in favor, motion carried.***

*Vice Chairman Kramer made a motion to grant the 90 day time extension request for Glen Hoover Dairy Operation; the new date would be August 2, 2016. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

### **Solicitor Legal Discussions**

Request for authorization to commence legal proceedings against Davidheiser (574 Godfrey Street) for property maintenance violations based on the December, 2015 NOV.

*Supervisor Feick made a motion to authorize the Solicitor to commence legal proceedings against Davidheiser (574 Godfrey Street) for property maintenance violations based on the December, 2015 Notice of Violation. The motion was seconded by Chairman Deck and passed unanimously with Vice Chairman Kramer abstaining (2-0-1).*

### **Escrow Release**

*None.*

### **Correspondence from Zoning Officer**

The Zoning Officer addressed the Noll property (7668 Lancaster Avenue). Some of the property has been cleaned; she will send a nice guy letter reminding them to continue with the cleanup.

The Zoning Officer addressed the Goroshko property (105 Teen Challenge Road). The trailers/pods have been removed; the property is in compliance and the complaint closed.

The Zoning Officer addressed the Davidheiser property (574 Godfrey Street). The vehicles are back; there is also some construction material and heavy equipment. She recommends that the Township begin legal proceedings from the December, 2015 NOV. This matter was addressed under Solicitor Legal Discussion.

The Zoning Officer addressed the Zimmerman property (354A Godfrey Street). There are four (4) sheds located on the property; she will send a nice guy letter advising that the sheds were not an approved use and placed without a permit. The Board agreed that the Zoning Officer should send a nice guy letter.

The Zoning Officer addressed the Proulx property (10 West Market Street). There are storage pods on the property; the property owner has not responded to the nice guy letter. She recommends sending a NOV.

*Supervisor Feick made a motion to authorize the Zoning Officer to send a NOV. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

The Zoning Officer addressed the Fry property (121 Godfrey Street). The weeds have been cut, so that violation can be closed. However, there is construction debris and wood/brush located in the rear of the property; a nice guy letter has been sent.

The Zoning Officer addressed the Meyers property (123B Godfrey Street). There is still rubbish and vehicles on the property; will send a reminder letter to continue the cleanup effort.

The Zoning Officer addressed the Lanshe property (117 Godfrey Street). Some progress has been made with regards to cleaning up the property, but more is still needed. A camper and trailer still need to be removed; one (1) trailer has been removed. She will send a reminder letter to continue with the cleanup.

The Zoning Officer addressed the Micka property (204 Deck Road). A complaint was received in February with regards property upkeep. She feels that the property appears to fit the surrounding area and will revisit the site in the spring. If she feels there is a problem she will contact the property owner. Chairman Deck noted that he wants the Board to be notified before any action is taken.

**Citizen's Complaint regarding Mt. Meadows Development – There is a trailer with a sign/advertisement parked on the lawn south of the model home**

The Zoning Officer addressed the complaint and reported that she will contact the developer to have it removed. The Board discussed the complaint; it was noted that the trailer is still there.

## Land Development

None.

## STAFF REPORTS

**Police Report** – Chief Kerschner read the March, 2016 Police report as follows:

ACTIVITY	TULPEHOCKEN TWP	MARION TWP
MILES PATROLLED	2687	896
GALLONS OF FUEL	296.1	0
HOURS WORKED	455	60
PATROL HOURS	313.75	59.75
TULPEHOCKEN AREA SCHOOL DIST. HOURS	25.75	0
TOTAL INCIDENTS	7	3
TOTAL COMPLAINTS	11	6
MISCELLANEOUS CALLS FOR SERVICE	35	2
FOLLOW-UP INVEST	1	3
TELEPHONE ASSIGNMENTS	23	5
COMM/RESIDENTIAL ALARMS	3	1
EMS/FIRE ADVISORIES	12	4
TRAFFIC STOPS	28	5
CITATIONS ISSUED	29	8
NON-TRAFFIC CITATIONS	0	0
TRAFFIC WARNINGS	1	2
WARRANTS	4	0
PARKING TICKETS	0	0
TRAFFIC ACCIDENTS	2	2
DUI ARRESTS	0	0
MISDEMEANOR/FELONY	2	0
SECURITY CHECKS	69	30
POLICE ASSISTS	6	0
MOTORISTS ASSISTS	1	0
COURT APPEARANCES	5	0
SCHOOL HOURS	48	0

Chief Kerschner reported that during the month of March there were 131 calls received through Berks County 911 for police services. Chairman Deck inquired with regards to the types of calls received. Chief Kerschner advised on the types of call received include traffic stops and motor vehicle accidents.

Chief Kerschner reported that currently the Police Officers use the North Wester Rod & Gun Club in Bethel Township to complete their yearly shooting qualifications. The Club does not charge the officers; he would like to apply for memberships, the cost is \$25 per person.

*Supervisor Feick made a motion to authorize the Township to pay the annual membership fee of \$25 per officer. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

**Road Master's Report** – Supervisor Feick read the March, 2016 report. The work consisted of sewer maintenance, meter reading, picking up supplies for pump station meters, checking on broken pipe, checking Deck Road, equipment maintenance, telephone calls, meeting with Insurance company, work at Township Building, stock pile salt, issue driveway permit, sign maintenance, work at Lancaster Avenue pump station, meeting with Keystone Builders, stock pile antiskid, work on equipment and in shop, snow event, unload dump trucks, clean up roadways, clean trucks, work on sewer problems, meeting with pump salesman, wash out repair in Mt. Aetna, meeting with Cleason Nolt (Meadow Springs Meeting House), Stouchsburg Road pipe work, patch pot holes, put up traffic signs for road closure; pick up supplies, paperwork, put snow plows on trucks, sewer work, sewer issues at pump station; unload pipe, work at Mt. Aetna sewer plant and sewer call out.

Supervisor Feick gave an update on his meeting with a representative from the Conservation District regarding the Low Volume and Dirt Road Program and the possibility of getting funding for various erosion related Township projects; they will be meeting again next week.

Supervisor Feick reported that the Township has been doing some brush cutting and noted that there are areas in the Township that may need some tree trimming.

Supervisor Feick updated that Board with regards to the proposed projects for this year. The two (2) big projects proposed are the Stouchsburg Road pipe project (approximate cost of \$21,000) and the bridge repair on Midway Road (approximate cost of \$30,000). The Township Engineer is working on the permit for the bridge repair. Other proposed projects include seal coating; to get the better price the Township would need to do five (5) miles or more. The proposed roads include Potteiger, Gravel Pit and Little Swatara Church. Supervisor Feick recommends having two (2) coats of seal coating done. He is also proposing the repaving of Stouchsburg Road from the Marion Township line to Rt. 501; he received a quote for \$80,000. The Supervisors discussed the price of black top and seal coating being down. Chairman Deck reported that he would like the Board to make a decision at their next meeting. Supervisor Feick suggested advertising for bids and making a decision once we see the prices.

*Supervisor Feick made a motion to advertise for bids for the proposed seal coating of Potteiger, Gravel Pit and Little Swatara Church Roads and repaving of Stouchsburg Road. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

The Board discussed the recent damage to various stop signs throughout the Township.

Chairman Deck advised that he wants to know prices for black top from Pennsy; he feels their prices are high.

*Fire Chiefs' Report* – Supervisor Feick read the monthly reports for the Keystone Fire Company and the Rescue Fire Company.

## **SEWER OPERATIONS**

### *Judgments and Delinquent Sewer Accounts*

The Supervisors discussed sewer operations with regards to judgments and delinquent accounts.

### *Correspondence from Shirley Derr regarding the recent notice in with her sewer bill*

The Board reviewed the correspondence received from Ms. Derr.

### *Update regarding sewer issues and televising the lines*

The Board discussed the sewer issues in Mt. Aetna which include grease, red, brown and black stuff being seen at the plant. This is causing more hauling of the sludge. A certified letter will be sent out to businesses. The Board discussed checking the manholes when the sewer operator sees the mysterious substances; it was noted that Supervisor Feick will be notified. The Board discussed businesses cleaning out their grease traps. Chairman Deck will contact the Township Solicitor to discuss the Township's options with regards to grease and having some type of documentation. It was agreed that the Township needs to find where the issues are coming from. The Board discussed the NOV received from the DEP. Supervisor Feick reported on the quotes he received to have the sewer lines televised; the amount of pipe of 8,200 ft. Kline's has 1,000 ft. cable and gave a price of \$5,650 for two (2) days of work. Mr. Rehab also has 1,000 ft. cable and gave a price of \$5,680 for two (2) days of work. Captain Clog gave a price of \$3,780 to videotape the entire 8,200 ft. Chairman Deck noted that he would like the price to be for the amount of footage. Supervisor Feick advised the he would look into getting prices by the foot from Kline's and Mr. Rehab. He also reported that Louie Hurst would like to get the lines in the Mt. Meadows development televised. The Board discussed issues with the impellers & pumps. Supervisor Feick noted that the impellers are ten (10) years old and feels elevation could be part of the problem in Mt. Aetna; the impellers cost approximately \$1,350.

*Chairman Deck made a motion to authorize the purchase of two (2) impellers for the Lancaster Avenue Pump Station for a cost of approximately \$1,350. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

### *Sewer Waiver Requests*

#### *Gerald Bashore – 7651 Lancaster Avenue, Unit 2*

The Board discussed Mr. Bashore's request and agreed to deny the request.

*Supervisor Feick made a motion to deny Mr. Bashore's sewer waiver request. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

## **UNFINISHED BUSINESS**

*None.*

## **NEW BUSINESS**

***Carol Merkel is requesting the Township to replace the street sign on Goose Run Road where it intersects with Lancaster Avenue (Goose Run Road is a private road)***

The Board discussed Ms. Merkel's request and agreed that due to Goose Run Road being a private roadway it was not the Township's responsibility; it was suggested that Ms. Merkel contact her neighbors to discuss sharing the cost to replace the street sign.

*Vice Chairman Kramer made a motion to deny Ms. Merkel's request for the Township to replace the street sign on Goose Run Road where it intersects with Lancaster Avenue, due to it being a private roadway. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

Mrs. Flaherty was instructed to send correspondence to Ms. Merkel notifying her of the Board's decision.

## **CORRESPONDENCE**

***Request from BCERT to attend a field training exercise on Saturday, May 14, 2016 at the Wyomissing Area High School from 9 A.M. to 1 P.M. (need to rsvp by Wednesday, May 11<sup>th</sup>)***

The Board discussed the invitation and agreed that they had no interest in attending at this time.

***Request from Berks County Board of Commissioners to attend a breakfast on April 22<sup>nd</sup> at the Masonic Lodge, 201 Washington Street, Birdsboro from 8 A.M. to 10 A.M. – Sponsored by Engle-Hambright & Davies, Inc. (need to rsvp by Wednesday, April 13<sup>th</sup>)***

The Board discussed the invitation and agreed that they had no interest in attending at this time.

***Request from DEP to attend a free seminar regarding an Infrastructure Bank Program, Creating a Land Bank & NFIP's Community Rating System Program on Friday, June 3<sup>rd</sup> at 9 A.M. at the DEP South Central Regional Building, Harrisburg (need to rsvp by May 15<sup>th</sup>)***

The Board discussed the invitation and agreed that they had no interest in attending at this time.

***Request from Bernville Borough for Fire Police coverage for the annual Memorial Day Parade on Monday, May 30<sup>th</sup>***

*Supervisor Feick made a motion to authorize the participation of the Fire Police for the Bernville Borough annual Memorial Day Parade on Monday, May 30, 2016. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*



***Crime Alert Berks County is requesting a donation – The Township donated \$150 in 2014 & 2013 – No donation was made in 2015***

*Chairman Deck made a motion to authorize the Township to donate \$150 to Crime Alert Berks County. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

## **OTHER BUSINESS**

### ***Schedule Budget workshop***

*Supervisor Feick made a motion to hold a budget workshop on Wednesday, July 13, 2016 at 6 P.M. (prior to the regularly scheduled meeting). The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

*Supervisor Feick made a motion to authorize the advertisement of the 2016 Budget Workshop on Wednesday, July 13, 2016 at 6 P.M. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

### ***Meeting with Bethel Township Board of Supervisors to discuss possible Police merger or jointure – the meeting is scheduled for Thursday, April 28, 2016 at 6:30 P.M. at the Bethel Township Municipal Building***

Chairman Deck updated the public that the Board will meeting with the Bethel Township Supervisors on Thursday, April 28, 2016 at 6:30 P.M. to discuss the possible merger of jointure of the two (2) Police Departments. The meeting will take place at the Bethel Township Municipal Building; he invited the public to attend.

Mr. Schneck suggested that the meeting be advertised in the Merchandiser.

*Supervisor Feick made a motion to authorize the advertisement of the meeting in the Merchandiser. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

### ***Motion to adopt Resolution 2016-7; Designation of Agent Resolution for Winer Storm Jonas***

The Board discussed the cost incurred to the Township from Winter Storm Jonas and the possibility of recouping seventy-five percent of the costs.

*Chairman Deck made a motion to adopt **Resolution 2016-7**; Designation of Agent Resolution for Winter Storm Jonas. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

### ***Motion to advertise Ordinance 2016-1 for adoption at the May meeting; EIT Collections***

Chairman Deck updated the Board with regards to proposed ordinance and EIT collections.

*Vice Chairman Kramer made a motion to authorize the advertisement of Ordinance 2016-1 for adoption at the May meeting with regards to EIT Collections. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

***Motion to authorize Chairman to sign the Met-Ed Street Lighting Agreement***

*Vice Chairman Kramer made a motion to authorize the Chairman to sign the Met-Ed Street Lighting Agreement. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

***Presentation from Zinn Insurance regarding the Commercial Insurance Policy – present quote***

Mr. Zinn gave a presentation with regards to the Township's commercial insurance policy. He discussed items that need more review and suggested getting appraisals for Township buildings. He commented with regards to being under insured. He provided two (2) quotes; one (1) for \$50,065 with the umbrella package and one (1) for \$48,642 without the umbrella. The umbrella covers the Board of Supervisors and Police Officers for an extra \$1,000,000. He noted that the plan also has a dividend program but noted that there is no guarantee what the amount of the dividend will be. He recommended looking at the building values and deductibles. He reported that Zinn Insurance also handles the City of Lebanon, the City of Lebanon Authority, Myerstown Borough, Myerstown Water Authority, Myerstown Sewer Authority, Jefferson Township, Richland Borough and North Cornwall Township.

The Board discussed the insurance proposals and agreed that the Township would receive better coverage at less of expense if they go thru Zinn Insurance.

*Supervisor Feick made a motion for the Township to retain commercial insurance coverage with an umbrella package for a cost of approximately \$50,065 through Zinn Insurance effective May 1, 2016. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

It was agreed that the Mrs. Flaherty should contact Mutual Inspection Bureau, Inc. and Industrial Appraisal Company to get quotes for having the Township buildings' appraised for discussion at the May meeting.

***Review Commercial Insurance Policy from EHD – current policy expires May 1<sup>st</sup> – Total Estimated Annual Premium is \$54,121 an increase of \$1,985***

The Board instructed Mrs. Flaherty to contact EHD to advise that the Township would not be renewing the commercial insurance policy through them.

**FINANCIAL REPORT AND APPROVAL FOR PAYMENT OF BILLS**

Account Balances for the end of March, 2016 were as follows:

General Account	\$ 36,726.01
First Citizens General Holding Account	\$ 24,436.21
General Plus Account	\$178,874.49
State Aid Account	\$ 68.31
State Plus Account	\$231,365.62
Street Light Account	\$ 8,260.31

Payments of Bills for this April 13, 2016 meeting are:

- General Account combined with the payroll account- Checks #16622 to #16666 in the amount of \$81,804.98
- Street Light Account – Check #349 in the amount of \$1,201.19
- State Liquid Fuels Account –
- Camp Calvary Land Dev. Escrow –
- Camp Calvary Inspection Escrow –
- Village Estates Improvements Inspection Escrow –
- Stormwater Inspection Escrow –
- Total Expenses for this meeting – \$83,006.17

*Supervisor Feick made a motion to approve the payments of the bills for this April 13, 2016 meeting. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

Sewer Accounts balances for the end of March, 2016 were as follows:

- Sewer Operation Account – \$548.81
- Balance in the Sewer Holding Account - \$117,177.26
- Debt Service Account - \$403,639.82

Payments of Bills in the Sewer Operation Account for this April 13, 2016 meeting are:

- Check #1727 to #1745 in the amount of \$43,729.14

*Vice Chairman Kramer made a motion to approve payment of the sewer bills. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

**ADJOURNMENT OF MEETING**

*Supervisor Feick made a motion to adjourn the meeting at 9:35P.M. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

Respectfully Submitted,

*Christy Flaherty*

Secretary, Tulpehocken Township