

**Tulpehocken Township
Board of Supervisors
Meeting of August 10, 2016**

The Tulpehocken Township Board of Supervisors met on August 10, 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: Mr. & Mrs. Ron Snyder, Nelson Beidler, Lloyd Schneck, Larry Dean Martin, Dolores Hill, Denise Royer, John Zimmerman, Harold Zimmerman and Michelle Lynch.

CALL TO ORDER

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

The meeting continued with the pledge to the American Flag.

PUBLIC COMMENTS

None.

APPROVAL OF MINUTES

Vice Chairman Kramer made a motion to approve the minutes from the July 13, 2016 Board of Supervisors Budget Workshop. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Supervisor Feick made a motion to approve the minutes from the July 13, 2016 Board of Supervisors meeting. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

ADMINISTRATIVE ACTIONS

Planning Commission

Mountain Meadows Phase 2: Time expires September 7, 2016. Pioneer Management LLC, the applicant's engineer, presented a time extension letter to the Township for a 182 day time extension. John Zimmerman made a motion to recommend to the Board of Supervisors to grant the time extension request for Mountain Meadows as a 182 day time extension to March 8, 2017. Scott Hetrick seconded the motion. All in favor, motion carried.

Supervisor Feick made a motion to grant the time extension request for Mountain Meadows Phase 2 as a 182 day time extension to March 8, 2017. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Solicitor Legal Discussions

Ben Schueller Poultry Operation – Motion to authorize Chairman to sign agreements

Mrs. Flaherty reported that the Township has not yet received the permits, but that the Board can approve the agreements and authorize their execution upon receipt. Attorney Hartman reported that the agreements include the Stormwater and Land Development Improvement and Maintenance Agreement, the Stormwater Controls and Best Management Practices Operations and Maintenance Agreement, a Water Usage Agreement and an Access & Utility Easement.

Supervisor Feick made a motion to authorize the Chairman to sign the agreements once they are received. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Escrow Release

Larry Dean Martin Poultry Operation (7 Cherry Hill Road) – Partial Release – The Engineer is recommending a release of \$122,104. Mr. Martin submitted a Letter of Credit in the amount of \$124,604

Attorney Hartman reviewed the recommendations from the Township Engineer in a letter dated August 9, 2016. The Board agreed to hold \$8,750 in an escrow account; noting that \$5,250 could be released once receiving confirmation of the installation of the seven (7) monuments.

Vice Chairman Kramer made a motion to release the Letter of Credit for the Larry Dean Martin Poultry Operation, upon Mr. Martin submitting a check in the amount \$8,750 to be held in escrow by the Township. Once confirmation of the installation of the seven (7) monuments is received the Board will release an additional \$5,250. The motion was seconded by Chairman Feick and passed unanimously (3-0).

Correspondence from Zoning Officer

August update

The Zoning Officer addressed the Noll property (7668 Lancaster Avenue). The property continues to be cleaned up.

The Zoning Officer addressed the Davidheiser property (574 Godfrey Street). Citation is being filed.

The Zoning Officer addressed the Zimmerman property (354A Godfrey Street). The Sheriff Sale is scheduled for September 9, 2016.

The Zoning Officer addressed the Myers property (123B Godfrey Street). Property is still a mess. Send a NOV. Property was supposed to be sold, but no record.

The Zoning Officer addressed the Lanshe property (117 Godfrey Street). Some small cleanup efforts have taken place.

The Zoning Officer addressed the Kennedy property (7642 Lancaster Avenue). Grass and weeds have been cut, violation closed.

The Zoning Officer addressed the Kennelly property (15 West Market Street). Correspondence was sent to owner, attorney and bank on August 1st. As of August 4th property still not cleaned up. Mr. Zimmerman inquired if the Township will step in and maintain the property. The Board reported on the steps that need to be taking prior to the Township maintaining the property. It was agreed that the Township should send an NOV noting that the Township will mow the property and send an invoice – if the invoice is not paid, a lien on the property will be filed.

Chairman Deck made a motion to authorize the Zoning Office to issue an NOV for the Kennelly property (15 West Market Street). The NOV should note that the Township will mow the property and an invoice will be sent and that if the invoice is not paid a lien will be filed against the property. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

The Zoning Officer addressed the Martin property (19 West Market Street). Property has been mowed. Violation cancelled.

The Zoning Officer addressed the Fackler property (5180 Route 419). Travel trailer being used as a weekend dwelling unit; nice guy letter sent. Trailer appeared to be empty and shutters on trailer were closed during site inspection.

Chairman Deck made a motion that going forward in the case of grass violations, an NOV will be sent advising that the property should be mowed within ten (10) days or the Township will mow and invoice the property owner. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Mr. Zimmerman thanked the Board for addressing complaints.

Update on Citizen's Complaint regarding Mt. Meadows Development – The new sign was removed, one of the old signs was removed, and one still remains. Keystone has asked if they can apply for a permit for a job trailer and move it to where the developer has his at the cul-de-sac. Per the ZO, the Board can attach conditions concerning safety issues, etc.

The Board discussed the request. Attorney Hartman advised what requires a permit per the Zoning Ordinance; noting that this matter would be at the Board discretion. The Board agreed that no permit would be needed if the job trailer is relocated to the cul-de-sac and used as a construction trailer.

Supervisor Feick made a motion to not require Keystone to apply for a Zoning Permit as long as the job trailer is relocated to the cul-de-sac and used as a construction trailer. The motion was seconded by Chairman Deck and passed unanimously (3-0).

Land Development

None.

STAFF REPORTS

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

ACTIVITY	TULPEHOCKEN TWP	MARION TWP
MILES PATROLLED	2606	872
GALLONS OF FUEL	254	0
HOURS WORKED	416	60
PATROL HOURS	307.5	61
TULPEHOCKEN AREA SCHOOL DIST. HOURS	0	0
TOTAL INCIDENTS	3	3
TOTAL COMPLAINTS	18	12
MISCELLANEOUS CALLS FOR SERVICE	44	4
FOLLOW-UP INVEST	1	3
TELEPHONE ASSIGNMENTS	29	7
COMM/RESIDENTIAL ALARMS	1	1
EMS/FIRE ADVISORIES	9	12
TRAFFIC STOPS	17	5
CITATIONS ISSUED	28	6
NON-TRAFFIC CITATIONS	0	0
TRAFFIC WARNINGS	1	0
WARRANTS	0	0
PARKING TICKETS	0	0
TRAFFIC ACCIDENTS	3	7
DUI ARRESTS	0	0
MISDEMEANOR/FELONY	0	0
SECURITY CHECKS	72	19
POLICE ASSISTS	23	0
MOTORISTS ASSISTS	0	0
COURT APPEARANCES	2	0
SCHOOL HOURS	0	0

Chief Kerschner reported that during the month of July there were 159 calls received through Berks County 911 for police services. He also advised the Tulpehocken Area School District does want the Police Department to continue to patrol the schools; he has requested the T ASD to submit the request to the Township in writing. He will begin scheduling the school hours on the Police schedule once school is in session.

Mr. Zimmerman commented with regards to the Police patrolling the area near the Mt. Aetna School. Chief Kerschner advised that the Police would make an effort to patrol that area more.

Central Westmoreland Central Westmoreland C.O.G. – one (1) year membership \$195 – two (2) year membership \$350 – Does the Board want to purchase a membership? This is who the Police Department uses to purchase police vehicles.

The Board discussed the membership and agreed not to renewal at this time; noting that the matter will be revisited in the future.

Road Master's Report – Supervisor Feick read the July, 2016 report. The work consisted of telephone calls, meter reading, sewer maintenance, work in shop, lawn mowing, paperwork, post

Zoning Hearing Notice, meet with Insurance Carrier, meet with Township Engineer, highway mowing, equipment maintenance, brush cutting, paperwork for grant, load trucks, replace pipe at Apple and East Market Streets, gutter cleaning, patching, sewer locations for new hookups, shoulder work on Gravel Pit and Pottieger Roads and work on Stouchsburg Road.

Supervisor Feick advised that the 2016 seal coating project has been completed; will be back out to sweep.

Supervisor Feick also reported that he has left a message to schedule line painting.

Chairman Deck commented with regards to a stormwater runoff issue near John Zimmerman's property and requested Supervisor Feick to look into the matter. Supervisor Feick advised that he would look into the matter and discussed past grading to that location.

Fire Chiefs' Report – Supervisor Feick read the monthly report for the Keystone Fire Company; no report was received from the Rescue Fire Company.

SEWER OPERATIONS

Judgments and Delinquent Sewer Accounts

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

Update regarding sewer issues and televising the lines

Supervisor Feick reported that he has not received the report from Captain Clog as of yet; noting that there are no broken lines, but there are dips.

Supervisor Feick advised the Board that the lot by John Zimmerman has been sold; noting that a grinder pump will be needed. He inquired if the Township will supply the pump setup or will the property owner; noting that in the past the Township had purchased and maintained the pumps. The cost for the pump setup is approximately \$3,630. The Board discussed how other municipalities handle. Chairman Deck inquired if any of the pumps have been replaced. Supervisor Feick reported that yes and on the maintenance that he has done. The Board discussed how much it would cost the Township to replace the pumps. Attorney Hartman suggested that if the Township requires the property owner to pay for the setup, they should require them to purchase the pump setup from the Township at the Township's costs. Mr. Zimmerman reported that both lots have been purchased by one party and he believes that there will be only one (1) hookup. Attorney Hartman reported that he would like to review the Sewer Rules & Regulations and suggested grandfathering previous installations. It was agreed that the Board would make a decision at the next meeting. Attorney Hartman noted that whatever the Board decides it should be incorporated into the Sewer Rules & Regulations.

Partial Sewer Waiver Requests

None.

UNFINISHED BUSINESS

MIB – Valuation Report

The Board discussed the reported and noted that they are waiting to hear back from Zinn Insurance.

NEW BUSINESS

Citizen's Complaint – 133 Deck Road (Pflueger) – Trash by road – Chief Kerschner spoke with the person staying at the house and the trash has been cleaned up

The Board discussed the complaint; noting that the matter has been addressed.

Zoning Hearing Board Application – Samuel Lapp (36 Camp Swatara Road) – Zoning Hearing scheduled for Monday, August 22, 2016

Chairman Deck advised the public that the Hearing will begin at 7 P.M. It was noted that the Planning Commission submitted their recommendation to the ZHB. Attorney Hartman advised that the Board could also make a recommendation. Supervisor Feick expressed concerns with regards to the Board making a recommendation at this time; noting that in the past the Board has had to make the final decision on a ZHB application. Mr. Snyder commented with regards to the area becoming intensified agricultural, questioned what the Township could do and reported on he has concerns with regards to his well becoming contaminated. Attorney Hartman advised DEP controls environmental agriculture and that if Mr. Snyder has an issue with his well he should contact the DEP; noting that State Law prohibits the Township from regulating nutrient management and discriminating against agriculture. Mr. Schneck commented with regards to the number of chicken houses in the Township. The Board suggested the public to contact their Senators with their concerns and agreed that they would not make a recommendation to the ZHB at this time.

Berks County Cooperative Purchasing Council Representative – John Kintzer is listed as our representative. Adopt Resolution 2016-8, appointing Gary A. Deck as the new representative for the Berks County Cooperative Purchasing Council

Vice Chairman Kramer made a motion to adopt Resolution 2016-8, appointing Gary A. Deck as the new representative for the Berks County Cooperative Purchasing Council. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

CORRESPONDENCE

Request from Womelsdorf Fire Police for Fire Police coverage for the annual Ride for Freedom to be held on Sunday, August 28th

Supervisor Feick made a motion to authorize the participation of the Fire Police for the annual Ride for Freedom to be held on Sunday, August 28th. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Request from Upper Tulpehocken Township & the Strausstown Lions Club for Fire Police coverage for the 45th annual Strausstown Lions Club Car Show on September 11th

Supervisor Feick made a motion to authorize the participation of the Fire Police for the 45th annual Strausstown Lions Club Car Show to be held on Sunday, September 11th. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

OTHER BUSINESS

Would the Board like to attend a dinner with regards to the Future of Economic Development and Taxes in Berks County? – The dinner is being hosted by the Berks Municipal Partnership – The fee is \$15 – There are three (3) dates/locations for the dinner – August 22nd (CELG Roessner Hall Albright College, Reading), August 29th (Reading Country Club, Exeter) or September 19th (Green Valley Chateau, Sinking Spring)

The Board discussed the invitation and agreed they would all like to attend the dinner on September 19th, at 6:30 P.M. at the Green Valley Chateau, Sinking Springs.

Vice Chairman Kramer made a motion to authorize the Board's attendance at the Future of Economic Development and Taxes in Berks County dinner scheduled for September 19th, at 6:30. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Mr. Royer inquired with regards to the Township converting the street lights to LED. The Board advised that the matter was already being addressed and requested Mrs. Flaherty to contact Met-Ed to see what the status is.

Chairman Deck reported that the bridge repairs for the PennDot bridge on Rehrersburg Road is scheduled to happen over the summer of 2017; noting that the project should be completed in approximately four (4) weeks.

FINANCIAL REPORT AND APPROVAL FOR PAYMENT OF BILLS

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

General Account	\$125,886.14
First Citizens General Holding Account	\$ 6,340.03
General Plus Account	\$179,192.12
State Aid Account	\$ 92.83
State Plus Account	\$231,609.39
Street Light Account	\$ 16,652.38

Payments of Bills for this August 10, 2016 meeting are:

General Account combined with the payroll account- Checks #16870 to #16903 in the amount of \$19,777.28

Street Light Account – Check #353 in the amount of \$1,129.41

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 – \$20,906.69

Vice Chairman Kramer made a motion to approve the payments of the bills for this August 10, 2016 meeting. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

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

Sewer Operation Account – \$1,134.05
Balance in the Sewer Holding Account - \$84,423.55
Debt Service Account - \$404,023.70

Payments of Bills in the Sewer Operation Account for this August 10, 2016 meeting are:
Check #1790 to #1803 in the amount of \$15,756.74

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

ADJOURNMENT OF MEETING

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

Respectfully Submitted,

Christy Flaherty

Secretary, Tulpehocken Township