

**Tulpehocken Township
Board of Supervisors
Meeting of December 9, 2015**

The Tulpehocken Township Board of Supervisors met on December 9, 2015 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; Christy Flaherty, Township Secretary/Treasurer and Chris Hartman, Township Solicitor.

Members of the audience included: James P. Gyles, P.E., James R. McGee, P.E, Christine Frey, Lynn Rutt, Robert Sattazahn, Larry Dean Martin, Harold Zimmerman, Lloyd Schneck, Nelson Beidler, Lori Deck, Ron Snyder, Curvin Reiff, Jane Gordon and Eugene Henry.

CALL TO ORDER

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

The meeting continued with the pledge to the American Flag.

PUBLIC COMMENTS

Mr. Rutt inquired if the Township has a noise ordinance and suggested that if not the Township consider establishing one. He advised on his situation with regards to neighbors' dogs barking and on the research he has done with regards to noise ordinances. He provided copies of his research to the Board and Solicitor for their review. Attorney Hartman advised that the Township does not currently have a noise ordinance, but could enact one if the Board desires. He also reported on his experience with regards to dogs barking and noise ordinances. He inquired if Mr. Rutt would testify if needed. Mr. Rutt advised that he would record or videotape the dogs barking. The Board discussed who would enforce the ordinance if the Township were to enact a noise ordinance, it was agreed that it would probably be best if the Police did the enforcement. Attorney Hartman inquired as to how the other neighbors feel about the dogs barking. Mr. Rutt advised that he was unsure. Chairman Deck reported that the Township would research Mr. Rutt's request. Mr. Rutt thanked the Board for their time.

APPROVAL OF MINUTES

Vice Chairman Kramer made a motion to approve the minutes from the November 11, 2015 Board of Supervisors meeting. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

ADOPTION OF 2016 BUDGET FOR TOWNSHIP AND SEWER FUNDS

Budget Certification for Township Funds year 2016 (Resolution 2015-8) – The proposed 2016 Budget had been advertised as available for public inspection on November 17, 2015, after

having been reviewed and preliminarily approved by the Board on November 11, 2015. The 2016 Budget for all Township accounts, except the Sewer Service, proposes revenues of \$1,110,475.00 and expenditures of \$1,077,299.00.

*Vice Chairman Kramer made a motion to adopt **Resolution 2015-8** to enact the 2016 Budget. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

Budget Certification for Sewer Service Funds year 2016 (Resolution 2015-9) – The proposed 2016 Budget for all public sewer funds had been advertised as available for public inspection on November 17, 2015, after having been reviewed and preliminarily approved by the Board on November 11, 2015. The 2016 Budget for all public sewer funds proposed revenue of \$345,099.00 and expenditures of \$344,600.00.

*Supervisor Feick made a motion to adopt **Resolution 2015-9** to enact the 2016 Sewer Budget. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

Tax Levy Resolution (Resolution 2015-10) – This resolution fixed the rate for the year 2016 as follows:

Real Estate Tax Levy – remains at 1.6 mills on each dollar of assessed valuation, or the Sum of 16 cents on each one hundred dollars of assessed valuation (\$160 for each \$100,000.00 valuation).

Act 511 Per Capita Tax Levy – remains at the rate of \$5.00 payable of all residents 18 years of age or older.

Act 511 Real Estate Transfer Tax Levy – remains at the rate of one half percent.

Act 511 Earned Income Tax Levy – remains at the ratio of one half percent.

Tax Rate for Street Light usage in the Villages of Rehrersburg and Mt. Aetna – at the rate of \$.75 for each front foot of property that is serviced by the coverage of such Street Light on each property.

*Vice Chairman Kramer made a motion to adopt the Tax Levy **Resolution 2015-10** to enact the Tax Levy for 2016. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

OTHER BUSINESS

Jim Gyles (Prime AE Group) – *update regarding the replacement of the bridge on Rehrersburg Road (between Cherry Hill and Airport Roads)*

This presentation was made before the meeting was called to order. Mr. Gyles, Ms. Frey and Mr. McGee advised on the replacement of the bridge (Project #SR4008, Section 02B); it was stated that construction is planned for the summer of 2017. Construction /detours should take approximately three (3) weeks. There will be no traffic access to the bridge even for emergency vehicles. Plans were left for public viewing.

ADMINISTRATIVE ACTIONS

Planning Commission

Laverne & Sandra Frey Poultry (time expires January 13, 2016) – The Township Engineer stated that the plan is ready for conditional approval. The items to be addressed are the financial agreements which the Township Solicitor will have completed prior to the Board of Supervisors meeting on Wednesday, December 9, 2015. Scott Hetrick made a motion to recommend Conditional Plan approval with the conditions of the Ludgate Engineering review letter dated December 2, 2015. Gary Deck seconded the motion. Laverne Frey abstained from voting due to this being his Land Development Plan. All others in favor, motion carried.

Vice Chairman Kramer made a motion to grant Conditional Plan approval with the conditions of the Ludgate Engineering review letter dated December 2, 2015. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Meadow Springs Meeting House (time expires January 5, 2016) – The applicant’s engineer was instructed to see that the Township Engineer gets the architectural plans for the proposed meeting house for review. The plans were not presented for this month’s meeting. The Township Engineer will contact the applicant’s engineer again so that the plans are at the January meeting.

The Planning Commission would like to see stakes placed every 50 feet along the backside of the property line.

E & S approval is still needed for this plan. The Township Engineer will have a new review for next month’s meeting. The cost estimate will be reviewed as well. Improvement agreements will be draft by the Township Solicitor.

The applicant’s engineer presented a time extension letter requesting time to be extended to March 9, 2016. John Zimmerman made a motion to recommend to the Board of Supervisors to grant the time extension request to March 9, 2016. Laverne Frey seconded the motion. All in favor, motion carried.

Vice Chairman Kramer made a motion to grant the time extension request to March 9, 2016. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Other Business – The Planning Commission members discussed the Avian Flu at this month’s meeting. It was suggested that the Township insert an article in the Merchandiser. The Berks County Department of Agriculture website could be referred to as well for people to contact with questions or concerns. The Township Engineer will contact a poultry representative from the Penn State Extension Office in Lancaster County and ask them to write an article that could be publisher. John Zimmerman made a motion to recommend to the Board of Supervisors that an article is published in the Merchandiser regarding the Avian Flu. Scott Hetrick seconded the motion. All in favor, motion carried.

The Board discussed the recommendation to publish an article in the Merchandiser with regards to the Avian Flu and agreed it was a good idea. They also discussed the email received from Mr. Martin from the Penn State Extension Office in Lancaster County. Mr. Henry from Wenger

Feeds also offered to help gather information for the article. It was agreed that the Township's Engineer would be the contact person with regards to the article and that Mrs. Flaherty should email him Mr. Henry's contact information. Mrs. Flaherty also suggested submitting the article to the Fish Wrapper; the Board agreed that was a good idea.

Supervisor Feick made a motion to request the Merchandiser to publish an article regarding Avian Flu for free, but if necessary the Township would pay for the advertisement. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Solicitor Legal Discussions

Update regarding Tulpehocken Area School District Police Services Agreement

Attorney Hartman updated the Board. He reported that he is looking for two (2) motions; one (1) approving the Intergovernmental Cooperation Agreement ordinance and one (1) approving the Police Services Agreement.

Vice Chairman Kramer made a motion to approve the Police Services Agreement between Tulpehocken Area School District and Tulpehocken Township. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

*Vice Chairman Kramer made a motion to approve **Ordinance 2015-4**, the Intergovernmental Cooperation Agreement between Tulpehocken, Penn and Jefferson Townships. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

Tim Crouse Poultry Operation – Motion to authorize Chairman to sign agreements

Supervisor Feick made a motion to authorize the Chairman to sign the agreements for the Tim Crouse Poultry Operation. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Elmer King Poultry Operation – Motion to authorize Chairman to sign agreements

Supervisor Feick made a motion to authorize the Chairman to sign the agreements for the Elmer King Poultry Operation. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Escrow Release

None.

Correspondence from Zoning Officer

The Zoning Officer addressed the Myers property (123B Godfrey Street); items have been tarped, small progress made – call them to remind them to keep making progress.

The Zoning Officer addressed the Lanshe property (117 Godfrey Street); small amounts of progress made – will contact for a friendly reminder to keep making progress.

The Zoning Officer addressed the Noll property (7668 Lancaster Avenue); a few more things have been cleaned up; it will be slow – will send periodic reminders.

The Zoning Officer addressed the Heffner-Davidheiser property (574 Godfrey Street); had resent NOV. Now only one (1) car was there and a piece of heavy equipment; will continue to monitor if they return. If the police see them back we can begin citations.

The Zoning Officer addressed the Goroshko property (105 Teen Challenge Road); NOV sent.

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

The Zoning Officer addressed the Proulx property (10 West Market Street) with regards to storage pods; sent nice guy letter.

LAND DEVELOPMENT

Chairman Deck stated that the Township is trying to work with engineers and property owners with regards to farmable stormwater management.

STAFF REPORTS

Police Report – Chief Kerschner read the November, 2015 Police report as follows:

Activity	Tulpehocken Twp.	Marion Twp.
Miles Patrolled	2352	889
Gallons of Fuel	214	0
Hours Worked	404	60
Patrol Hours	266.75	65.75
Total Incidents	3	2
Total Complaints	8	12
Miscellaneous Calls for Service	41	5
Follow-up Investigations	1	0
Telephone Assignments	11	7
Comm/Residential Alarms	1	3
EMS/FIRE Advisories	9	7
Traffic Stops	29	7
Citations Issued	31	8

Non-Traffic Citations	1	0
Traffic Warnings	1	1
Warrants	1	0
Parking Tickets	0	0
Traffic Accidents	3	3
DUI Arrests	0	0
Misdemeanor/Felony	1	0
Security Checks	69	12
Police Assists	7	0
Motorists Assists	1	0
Court Appearances	2	0
School Hours	0	0

Chief Kerschner reported that during the month of November there were 144 calls received through Berks County 911 for police services and that on December 23, 2015, Officer Dronick and he would be attending taser training.

Road Master's Report – Supervisor Feick read the November, 2015 report. The work consisted of milling streets in Rehrersburg, black topping, meter reading, monthly checks at sewer plants and stations, sewer maintenance, equipment maintenance, work on Cherry Hill Road (cross pipe replacement), telephone calls, p/u welding supplies, check on Teen Challenge Road project, Pa One Call, cut branches, stock pile stone, p/u box culverts, clean gutters, shop work, clean pump station, replace pump, driveway permit, met with Ken White, put snow equipment on trucks and cut up tree.

Supervisor Feick reported on a telephone call from E.J. Breneman with regards to cold patch being on sale for \$65/per ton; he would like to purchase three (3) tons.

Vice Chairman made a motion to authorize the purchase of cold patch. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Supervisor Feick advised that he replaced the load of salt borrowed from Marion Township earlier this year.

Vice Chairman Kramer advised on issues with the loader; he will be replacing the cable, but the rear is leaking.

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. They agreed not to take any action against 118 Godfrey Street at this time.

Sewer Waiver Requests

None.

Sewer Issues

None.

The Board discussed the installation of a new meter at the Mt. Aetna Mennonite School. They also discussed Teen Challenge with regards to their outflow.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Reorganization 2016 – Reorganization meeting is Monday, January 4, 2016. We need to set the time and advertise the meeting. Last year the meeting was at 6 P.M.

Chairman Deck made a motion to hold the reorganization and regular monthly meeting on Monday, January 4, 2016 at 6 P.M. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

2016 Meeting Dates – Motion to advertise meeting dates

The Board discussed the meeting dates for 2016; it was agreed that the Board of Supervisors' meetings would be held on the second Wednesday of the month at 7 P.M., starting with the February 10th meeting, the Planning Commission meetings would be held the first Thursday of the month at 7:30 P.M. and the Recreation Board would meet quarterly on the fourth Thursday of the month with the exception of the November meeting at 7 P.M. Attorney Hartman advised that he can't make the January and February meetings, but would send a representative if needed.

Vice Chairman Kramer made a motion to accept the 2016 meeting schedule as listed above and to authorize the advertisement of all of the Township's 2016 meetings dates in the Reading Eagle and the Merchandiser. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

CORRESPONDENCE

None.

OTHER BUSINESS (CONTINUED)

Board Vacancies for 2016

- a. Zoning Hearing Board – Sharon Kramer’s term ends; she would like to continue – new term would be January, 2016 – December, 2018. There is also another vacant position on this Board.***
- b. Planning Commission – Laverne Frey and Ray Daub’s terms end; both would like to continue new terms would be January, 2016 – December, 2019.***
- c. Recreation Board – There is one (1) vacancy on this Board.***
- d. Township Auditors – has two (2) vacancies – waiting to hear from Board of Elections regarding potential nominations for the auditor positions***

Vacant positions need to be filled at the reorganization meeting to be held on January 4, 2016.

Attorney Hartman advised that a resolution would be needed for the Zoning Hearing Board appointments.

The Board agreed they would look for someone to fill the vacancies.

Cleaning of Septic Tank – The tank was last cleaned by Peterman’s in 2009 for a cost of \$150, would like a motion to authorize having the tank cleaned

Vice Chairman Kramer made a motion to authorize the cleaning of the septic tank. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

It was agreed that Supervisor Feick would coordinate the cleaning.

The Board discussed Act 537 with regards to the pumping of on-lot sewage systems; the Township may need to enact an ordinance. Attorney Hartman reported on the Township’s responsibilities with regards to proof of cleanouts and what other municipalities do. Mrs. Deck advised that other municipalities require the resident’s show a receipt. The Board discussed cleanout inspections and suggested meeting with local haulers/municipalities to discuss the matter further. It was noted that the Township needs to double check if an ordinance was ever enacted. Attorney Hartman advised that he could provide samples for the Board to review.

Wenger Feeds requesting the Township to sign paperwork allowing heavy feed trucks to travel the Township roadways

Ms. Gordon and Mr. Henry updated the Board on Wenger Feeds’ request. They would like the Township to allow trucks weighting 95,000 pound to travel the Township’s roadways, currently the allowed weight is 80,000 pounds. They are only looking for the trucks to travel to Curvin Reiff’s property; the roads traveled would be Route 501, Deck Road and Cherry Hill Road (approximately 2.4 miles). They noted that by allowing the heavier trucks it would reduce the amount of feed deliveries. They are requesting a variance to allow the heavier loads. The Board discussed the current condition of the Township roadways. Attorney Hartman suggested that if the Township chooses to allow the heavier trucks that a road analysis be completed and that a damage agreement be drawn up between the Township and Wenger Feeds so that if there is any road damage, Wenger will share in the costs to repair the roadways. Supervisor Feick reported

on the condition of the roadways; noting that the Township roads were not designed for heavy loads and he is against allowing 95,000 pound trucks to travel the roadways. Mr. Henry discussed having the roadways that would be traveled bonded and looking into the costs involved. Chairman Deck stated that he would be in favor of allowing the heavier trucks to use the proposed roadways if they were bonded. Vice Chairman Kramer and Supervisor Feick agreed they would support the request if the roadways were bonded. Attorney Hartman reported that the request could be done through an agreement and noted that if the roadways are to be bonded that certain information would need to be recorded. He suggested having the roadways videotaped and that the Township Roadmaster and a representative from Wenger Feeds review the roadways. Ms. Gordon thanked the Board for their time.

Flooring installation/office painting – prep time for installation – On Thursday, December 10th the staff will be cleaning out three (3) offices – On Friday, December 11th the staff will be painting the offices – How does the Board want to handle the hours? (May exceed the normal weekly allotment)

Mrs. Flaherty advised the Board that Martin’s Flooring is planning on completing the installation between 7:30 A.M. and 4 P.M. until the job is complete. She inquired how the Board would like to handle the employees hours, noting that they may exceed the normal weekly allotment. The Board agreed they were okay with the employees exceeding their normal weekly allotment, but no overtime. Officer Hepler had offered to help with the painting on his own time; the Board agreed that he should clock in.

Mr. Sattazahn inquired if the Township could install a stop sign at Deck and Wintersville Roads, making it a 3-way intersection. The Board reported that they would look into the request, noting that an ordinance and correspondence from the Township Engineer or Police Chief would be required.

FINANCIAL REPORT AND APPROVAL FOR PAYMENT OF BILLS

Account Balances for the end of November, 2015 were as follows:

General Account	\$ 30,684.54
FNB Fredericksburg Holding Account	\$ 37,943.59
General Plus Account	\$178,787.16
State Aid Account	\$ 68.28
State Plus Account	\$ 37,828.75
Street Light Account	\$ 11,924.73

Payments of Bills for this December 9, 2015 meeting are:

- General Account combined with the payroll account- Checks #16354 to #16393 in the amount of \$40,806.66
- Street Light Account – Check #346 in the amount of \$1,219.94
- 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 – \$42,026.60

Supervisor Feick made a motion to approve the payments of the bills for this December 9, 2015 meeting. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Sewer Accounts balances for the end of November, 2015 are as follows:

Sewer Operation Account – \$857.19
Balance in the Sewer Holding Account - \$148,526.64
Debt Service Account - \$403,175.80

Payments of Bills in the Sewer Operation Account for this December 9, 2015 meeting are:
Check #1669 to #1683 in the amount of \$81,806.11

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).

The Board discussed the First National Bank of Fredericksburg account with regards to the name change and if there would be any effects to the account information. Mrs. Flaherty advised that she would contact the bank to see if there are any changes to the account information.

ADJOURNMENT OF MEETING

Vice Chairman Kramer made a motion to adjourn the meeting at 8:45 P.M. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Respectfully Submitted,

Christy Flaherty

Secretary, Tulpehocken Township