

**Tulpehocken Township
Board of Supervisors
Meeting of December 9, 2020**

The Tulpehocken Township Board of Supervisors met on December 9, 2020 in the Township meeting room at 7:00 P.M. In attendance and voting were Supervisors: Chairman Gary Deck, Vice Chairman Richard Kramer and Lester Feick. Also present was Christy Flaherty, Township Secretary/Treasurer. Chief Kerschner participated via Zoom.

Members of the audience included: Harold Zimmerman; Dennis Royer, Scott Sweigart and Sam Forry.

CALL TO ORDER

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

The meeting continued with the pledge to the American Flag.

PUBLIC COMMENTS

Mr. Royer advised that he feels that the Township is not utilizing their resources to the best abilities. He commented with regards to the proposed Mennonite school; noting that he was unhappy with the recommendations made by the Township Engineer. He suggested the Township consider appointing a Township Manager. He was unhappy with how the November 17, 2020 Zoning Hearing was ran; he felt the Solicitor was too controlling and that the Board Chair should be running the meeting verses the Solicitor. He suggested the Township considering doing some restructuring. He also commented with regards to the Police Department enforcing Township Ordinances. The Board discussed Mr. Royer's concerns/comments. They also reviewed the recommendations made by the Planning Commission and Township Engineer with regards to the proposed Mennonite School and the conditions from the Zoning Hearing. Supervisor Feick reported on the inspection conducted by the Township Engineer and himself. He noted that a deceleration lane could not be install without a new well being drilled for the Lions Club due to their well being located in the Township's ROW and that the Township Engineer only suggested to widen the western side of Lions Park Drive at the intersection of Teen Challenge Road. The Board also commented on their discussion with regards to the matter at their November 10th meeting. It was also stated that any cost incurred by land development is charged to the client doing the development, it is not a burden to the tax payers.

APPROVAL OF MINUTES

Vice Chairman Kramer made a motion to approve the minutes from the November 10, 2020 Board of Supervisors 2021 Preliminary Budget meeting. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Vice Chairman Kramer made a motion to approve the minutes from the November 10, 2020 Board of Supervisors meeting. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

ADOPTION OF 2021 BUDGET FOR TOWNSHIP AND SEWER FUNDS

Budget Certification for Township Funds year 2021 (Resolution 2020-11) – The proposed 2021 Budget had been advertised as available for public inspection on November 13, 2020, after having been reviewed

and preliminarily approved by the Board on November 10, 2020. The 2021 Budget for all Township accounts, except the Sewer Service, proposes revenues of \$1,334,165 and expenditures of \$1,233,138.

*Vice Chairman Kramer made a motion to adopt **Resolution 2020-11** to enact the 2021 Budget. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

Budget Certification for Sewer Service Funds year 2021 (Resolution 2020-12) – The proposed 2021 Budget for all public sewer funds had been advertised as available for public inspection on November 13, 2020, after having been reviewed and preliminarily approved by the Board on November 10 2020. The 2021 Budget for all public sewer funds proposed revenues of \$396,119 and expenditures of \$396,062.

*Vice Chairman Kramer made a motion to adopt **Resolution 2020-12** to enact the 2021 Sewer Budget. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

Tax Levy Resolution (Resolution 2020-13) – This resolution fixed the rate for the year 2021 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 Local Services Tax – at the rate of \$52.00 payable by 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 2020-13** to enact the tax levy for 2021. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

ADMINISTRATIVE ACTIONS

Planning Commission

Sketch Plan of Record Forry Subdivision (time expires January 27, 2021) – Larry Grybosky from C2C Design was present to discuss the plan. The planning module exemption was submitted to the Township SEO. The plan was submitted to the Conservation District. The Township issued a tentative address of 128 Gravel Pit Road. Sight distance is a concern. It appears that the sight distance goes through the neighbor's yard. What needs to be verified is that the sight distance stays within the right-of-way to get the required 252 feet of sight distance. The concern is if the neighbor puts up a fence or trees, the Township does not have the ability to deny them from doing so and it could become a sight distance issue. Infiltration testing will need to occur close to the bottom of the proposed BMP with appropriate design factor. Mr. Grybosky stated that they are proposing to have it tested before installation to confirm. A deferment request will be needed for this plan since the testing will be done later. The plan cannot be recorded before the DEP planning module is completed and approved. The Township cannot issue zoning and building permits until the plan is recorded. And the plan cannot be recorded until we get DEP and E&S approval. This plan will require a deferment from the Stormwater Management Ordinance Section 307B1 A and B. They will do the testing prior to the system going in and adjust the bottom as necessary. Perc tests and some probes have been done. They are not deep enough to utilize for the stormwater. It is mostly shale.

Robert Sattazahn made a motion to recommend to the Board of Supervisors to accept the deferment from the Stormwater Management Ordinance Section 307B1 A and B. C2C Design would conduct a deep probe and infiltration test for the proposed BMP prior to installation. Seconded by Laverne Frey and approved unanimously.

Supervisor Feick made a motion to accept the deferment from the Stormwater Management Ordinance Section 307B1 A and B. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

A written request of deferment will need to be submitted to the Township Office prior to the Board of Supervisors meeting on Wednesday, December 9, 2020.

John Zimmerman made a motion to recommend conditional plan approval based on the Township Engineers review letter dated November 30, 2020 and the required sight distance for the driveway is addressed. The driveway would have to slide North on Gravel Pit Road. If sight distance still cannot be met, the plan will need to come back to the Planning Commission for additional discussion. Seconded by Robert Sattazahn and approved unanimously.

Mr. Sweigart advised on the relocation of the driveway.

Mrs. Flaherty stated that the Township Engineer reviewed the plan showing the relocation of the driveway. He advised that the relocation of the driveway appears to meet the site distance requirements, however he still wants to review/inspect to verify.

Supervisor Feick made a motion to grant Conditional Plan approval based on the Township's Engineer review letter dated November 30, 2020 and the Township's Engineer's confirmation that the required sight distance for the driveway has been met. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Solicitor Legal Discussions

None.

Escrow Release

David G. Martin Poultry Operation (Bordner Road) – The Engineer is recommending a release in the amount of \$109,073.93, leaving a balance of \$12,000

Vice Chairman Kramer made a motion to authorize the release of \$109,073.93. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Correspondence from Zoning Officer

November Update – No update provided

Discuss increasing the fee for Zoning Permits

The Board discussed the proposed increase to the application fees for Zoning Permits. Mrs. Flaherty reported that the rate has not increased since 2007. The proposed increase would be \$80 for construction valued at less than \$10,000 and \$150 for construction valued at \$10,000 or more. The current fees are

\$60 for construction valued at less than \$10,000 and \$120 for construction valued at \$10,000 or more. Currently the fees cover the Zoning Officer's cost; they do not cover any time incurred by Township staff. The Board agreed to discuss further at their January meeting.

Land Development

None.

STAFF REPORTS

Police Report – Chief Kerschner read the November, 2020 Police report as follows:

ACTIVITY	TULPEHOCKEN TWP	MARION TWP
MILES PATROLLED	2562	724
GALLONS OF FUEL	249	0
HOURS WORKED	341.25	60
PATROL HOURS	292	41
TULPEHOCKEN AREA SCHOOL DIST. HOURS	18.5	0
TOTAL INCIDENTS	4	3
TOTAL COMPLAINTS	12	6
MISCELLANEOUS CALLS FOR SERVICE	40	4
FOLLOW-UP INVEST	3	2
TELEPHONE ASSIGNMENTS	13	9
COMM/RESIDENTIAL ALARMS	4	0
EMS/FIRE ADVISORIES	20	7
TRAFFIC STOPS	9	2
CITATIONS ISSUED	9	3
NON-TRAFFIC CITATIONS	0	0
TRAFFIC WARNINGS	4	0
WARRANTS	0	0
PARKING TICKETS	0	0
TRAFFIC ACCIDENTS	2	2
DUI ARRESTS	0	0
MISDEMEANOR/FELONY	1	0
SECURITY CHECKS	59	39
POLICE ASSISTS	13	0
MOTORISTS ASSISTS	0	2
COURT APPEARANCES	3	1
SCHOOL HOURS	0	0

Chief Kerschner reported that during the month of November there were 124 calls received through Berks County 911. He also updated the Board with regards to Teen Challenge.

Road Master's Report – Supervisor Feick read the November, 2020 report. The work consisted of sewer maintenance/repairs, meter reading, service & check blowers and pump station, sign maintenance, highway mowing, drop off/pickup trucks at Kanter's Tire, p/u parts, work on bypass pump, work on Deck Road pipe replacement, telephone calls, work on Township lot in Rehrersburg, went to Reading for PPE equipment, equipment repairs/maintenance, sewer call out, check on storm damage throughout

Township, help Police Department paint lines on Township roadways, winter preparation, met w/Township Engineer, sewer plant maintenance/repair, putting snow equipment on trucks, lawn mowing, attending meeting and work in shop.

Supervisor Feick stated that he is hopeful that the box culvert on Spur Road will be installed prior to Christmas.

Review lease agreement for John Deere Loader

Supervisor Feick updated the Board with regards to quotes received for a new loader. See quotes as follows:

- CAT \$175,278
- JCB \$152,376.57
- John Deere \$150,250

He recommended going with the John Deere for a three (3) year lease and purchasing a block heater. The interest rate would be 2.95%. The current loader could be placed on Municibid for sale.

Chairman Deck made a motion to proceed with purchasing the John Deere 524P with a three (3) year lease with the first payment being \$51,566.01. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Spur Road Project Update – The project was awarded to H & K Group, Inc. in 2019 for a cost of \$39,470.00; H & K is requesting the Board to approve a cost increase of \$1,806.00 due to the project being delayed

Vice Chairman Kramer made a motion to approve a cost increase of \$1,806 to H & K Group, Inc. for the Spur Road Project. The motion was seconded by Supervisor Feick with Chairman Deck abstaining (2-0-1).

Supervisor Feick advised that the sinkhole on Thistle Court has been repaired and that he has a meeting with the Township Engineer and Mr. Hurst on December 10, 2020.

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

SEWER OPERATIONS

Judgements and Delinquent Sewer Accounts

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

UNFINISHED BUSINESS

Supervisor Feick updated the Board with regards to purchasing a generator. The price is approximately \$11,399. The Board agreed that the generator purchase/installation would be done in 2021.

The Board discussed purchasing the above ground propane tank for the generator for an approximate cost of \$3,786 which includes installation and agreed to install the tank this year. The cost would be paid from the Building Maintenance Fund.

Supervisor Feick made a motion to purchase a 1,000-gallon propane tank for \$3,786. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

NEW BUSINESS

None.

CORRESPONDENCE

None.

OTHER BUSINESS

Need a motion to ratify the readdressing of the following property:

- *PIN #86430906492431 as 42 Meadowlark Lane (formally 11 North Chestnut Street)*

Vice Chairman Kramer made a motion to ratify the readdressing of the following property:

- *PIN #86430906492431 as 42 Meadowlark Lane (formally 11 North Chestnut Street).*

The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Discuss the readdressing of Rehrersburg Road

Mrs. Flaherty updated the Board with regards to the need to readdress the western end of Rehrersburg Road. After further discussion it was noted that all of Rehrersburg Road may need to be readdressed. Mrs. Flaherty stated that she will work with Berks County Emergency Services with regards to the renumbering.

Motion to accept and authorize the Chairman to sign the Permanent Easement for Access to Street Lights Agreement with Mt. Aetna Developers

Vice Chairman Kramer made a motion to accept and authorize the Chairman to sign the permanent easement for access to street lights agreement with Mt. Aetna Developers. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Motion to adopt Resolution 2020-14; Accepting the Deed of Dedication of Mt. Aetna Developers, Inc. of street lights as particularly bounded and described in said Deed of Dedication

*Vice Chairman Kramer made a motion to adopt **Resolution 2020-14**. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

Motion to adopt Resolution 2020-15; Adding and amending the properties subject to the Township Street Light Tax

*Vice Chairman Kramer made a motion to adopt **Resolution 2020-15**. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

Motion to approve the Sewer Planning Module for Solitude Farm (Melvin Horwith c/o Bruce Horwith (50 West Four Point Road)), to authorize the Chairman to sign and the Township Secretary to forward the correspondence to DEP

Vice Chairman Kramer made a motion to approve the Sewer Planning Module for Solitude Farm (Melvin Horwith c/o Bruce Horwith (50 West Four Point Road)), to authorize the Chairman to sign and the Township Secretary to forward the correspondence to DEP. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Motion to accept the Sewer Planning Module for the Forry Subdivision (Samuel Forry (7 Midway Road)), to authorize the Chairman to sign and the Township Secretary to forward the correspondence to DEP

Vice Chairman Kramer made a motion to approve the Sewer Planning Module for the Forry Subdivision (Samuel Forry (7 Midway Road)), to authorize the Chairman to sign and the Township Secretary to forward the correspondence to DEP. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Motion to adopt Resolution 2020-16; Closing Out Community Conservation Partnerships Grant Project

Vice Chairman Kramer made a motion to adopt **Resolution 2020-16**. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Received 2020 Cares Act reimbursement from Berks County in the amount of \$5,143.80

Mrs. Flaherty advised the Board that the 2020 Cares Act reimbursement from Berks County in the amount of \$5,143.80 has been received.

The Board discussed the November Zoning Hearing and the events that took place.

FINANCIAL REPORT AND APPROVAL FOR PAYMENT OF BILLS

Account Balances for the end of November, 2020 were as follows:

General Account	\$ 52,794.92
First Citizens General Holding Account	\$ 57,563.59
General Plus Account	\$310,727.88
State Aid Account	\$ 211.90
State Plus Account	\$ 41,124.22
Street Light Account	\$ 18,776.77
Recreation Planning Escrow Account	\$ 9,231.69
Payroll Account	\$ 110.55

Payments of Bills for this December 9, 2020 meeting are:

General Account combined with the payroll account – Checks #20275 to #20320 in the amount of \$39,371.09
Street Light Account – Check #455 in the amount of \$1,200.92
State Liquid Fuels Account –
Recreation Fund – Check #107 in the amount of \$2,451.91
Recreation Planning Escrow –
Camp Calvary Land Dev. Escrow –
Camp Calvary Inspection Escrow –
Village Estates Improvements Inspection Escrow –
Stormwater Inspection Escrow –

Total Expenses for this meeting – \$43,023.92

Vice Chairman Kramer made a motion to approve the payments of the bills for this December 9, 2020 meeting. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Sewer Accounts balances for the end of November, 2020 were as follows:

Sewer Operation Account – \$255.64
Balance in the Sewer Holding Account - \$245,515.92
Debt Service Account - \$427,655.57

Payments of Bills in the Sewer Operation Account for this December 9, 2020 meeting are:

Check #2582 to #2600 in the amount of \$88,108.23

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).

EXECUTIVE SESSION

None.

ADJOURNMENT OF MEETING

Supervisor Feick made a motion to adjourn the meeting at 8:34 P.M. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Respectfully Submitted,

Christy Flaherty

Secretary, Tulpehocken Township