

**Tulpehocken Township
Board of Supervisors
Meeting of February 8, 2017**

The Tulpehocken Township Board of Supervisors met on February 8, 2017 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, Solicitor.

Members of the audience included: Lori Deck, Sharon Kramer, Dolores Hill, Lloyd Schneck, Dennis Royer, Harold Zimmerman, Nelson Beidler, Robert Sattazahn and Michelle Lynch.

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

Mrs. Kramer commented with regards to the heavy trucks traveling over the Swatara Salem Road Bridge; she discussed the need to preserve the bridge and reported that she would be contacting the Altalaha Society to try to get it on the Museum Commission so that it is protected and listed as a state historic bridge; that way the police will have the ability to cite any truck that crosses it. She reported that the bridge can handle the weight, but the vehicle's width is the issue. She also commented on discussions that took place years ago when she sat on the Planning Commission and that PennDOT has advised that if the bridge gets damaged and needs to be replaced it would not be replaced in kind, the new bridge would meet today's specs. The Board discussed the signs that were put up years ago, noting that they say "Historic Bridge No Tractor Trailers". Chairman Deck inquired as to the Township's legal rights. It was noted that the bridge is owned by the County. Attorney Hartman advised that it is the County's responsibility to control weight limits on the bridge or to put any other restrictions on it. He reported that the County Commissioners have the right to enact ordinances under the county code; once that is done the local municipalities would be able to enforce. He questioned how getting the bridge on the historic register would help with enforcement. He advised that the Township could put limitations/restrictions on the roadway which would limit access to the bridge; he noted that the vehicle code would have to be reviewed. Mrs. Kramer requested the Township consider sending correspondence to Dollar General requesting them to ask their drivers not to use the road. Chairman Deck commented that the Township will need to work with Bethel Township. The Board noted that years ago there was a weight restriction on the bridge. The Board agreed to have the Township Secretary send correspondence to Dollar General. The Board discussed putting up a "No Trucks" sign. Attorney Hartman noted that it would not be enforceable and that he could not recommend installing the sign.

Mrs. Hill inquired if the Township has an ordinance with regards to the disposal of Christmas trees; she reminded the Board of the fire on her property a few years ago. She noted that her neighbor has an old tree on their front porch and expressed concerns. Attorney Hartman referenced the Property Maintenance Code. The Board agreed to have the Zoning Officer send a letter requesting the property owners properly dispose of the tree. It was noted that the Zoning Officer was sending the

property owner a NOV on a different matter.

The Board discussed the Township owning a chipper and offering a collection service for Christmas trees; residents could drop them off at the Township building. They agreed that something should be mentioned in the next Township Newsletter; noting that the Township would offer a drop off point for the collection/disposal of Christmas trees.

APPROVAL OF MINUTES

Vice Chairman Kramer made a motion to approve the minutes from the January 3, 2017 Reorganization 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 January 3, 2017 Board of Supervisors meeting. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

ADMINISTRATIVE ACTIONS

Planning Commission

Larry Dean Martin Poultry plan (4th Barn): The location of this plan is 7 Cherry Hill Road. The plan has 3 existing poultry barns, a single family home, and 6 single family lots along Lions Park Drive. The applicant is proposing one additional poultry barn and an 80 by 100 foot equipment building. The plan shows that the existing basins will be amended.

The Township Engineer would like to review a copy of the nutrient management plan. There is a concern with the animal unit calculation. The land area will be increasing, however the weight of the broilers decreased from the previous plan.

The Planning Commission discussed Section 602.11 landscaping plan. They do not feel that a landscaping plan would be needed since it is next to the sewer treatment plant.

A couple of general comments mentioned by the Township Engineer were the discharge pipe coming out of the basin. There is a concern with water laying along the existing road. A meeting between the applicant, the Township Engineer and the Road Master will occur next week.

John Zimmerman made a motion to recommend to the Board of Supervisors to grant the waiver request for Section 205 and Section 307.B.1.a. Laverne Frey seconded the motion. All in favor, motion carried.

- *Section 205. This section requires submitting a preliminary plan for approval ahead of submitting a final plan. A modification of this section is being requested due to the plan being minor in scope and no new utilities or streets are being offered for public dedication.*
- *Section 307.B.1.a. A minimum depth of 48 inches between the bottom of the facility and the seasonal high water table and or bedrock for street runoff. Testing was completed for the infiltration facility of this plan the result provided a minimum of 24 inches of separation. The PA BMP Manual only requires a minimum of 24 inches of separation.*

Vice Chairman Kramer made a motion to grant the waiver request for Section 205 and Section 307.B.1.a. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

John Zimmerman made a motion to recommend to the Board of Supervisors to grant conditional preliminary/final plan approval based on the conditions listed below; Ray Daub seconded the motion. All in favor, motion carried.

- ***The conditions of the Township Engineer’s review letter dated February 2, 2017.***
- ***New improvements agreements drafted by the Township Solicitor.***
- ***Updating the existing stormwater agreements.***

Vice Chairman Kramer made a motion to grant conditional Preliminary/Final Plan approval based on the conditions listing below:

- *The conditions of the Township Engineer’s review letter dated February 2, 2017.*
- *New improvements agreements drafted by the Township Solicitor.*
- *Updating the existing stormwater agreements.*

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

Solicitor Legal Discussions

Present Resolution 2017-5 (Update properties being charge Street Light Tax) for adoption

Vice Chairman Kramer made a motion to adopt Resolution 2017-5. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Berks County Conservation District – Memorandum of Understanding – Motion to authorize Chairman to sign

Vice Chairman Kramer made a motion to authorize the Chairman to sign the Berks County Conservation District Memorandum of Understanding. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Escrow Release

None.

Correspondence from Zoning Officer

January update

The Zoning Officer addressed the Davidheiser property (574 Godfrey Street); she has contacted the owner as there are several trucks on site now. Ms. Davidheiser advised the Zoning Officer of a family tragedy that recently occurred; she reported that she would discuss the vehicle issue with her tenant that rents the garage. The Zoning Officer explained that the Township can enforce additional fines on a daily basis; she is suggesting that due to the family tragedy that Ms. Davidheiser is dealing with that the Township give her a week or two to see if the vehicles are removed. Ms. Davidheiser reported that she is hoping to sell the property.

The Board agreed to hold off on doing anything due to the circumstances.

The Zoning Officer addressed the Zimmerman property (354A Godfrey Street); sheds for sale. The sheds still remain on site. This is a zoning violations; not a property maintenance violation through the District Justice. A civil complaint can be filed if the Board wishes to proceed. The violation would be placing the sheds without permits.

The Board agreed that the Zoning Officer should send correspondence reminding the property owners that they need to apply for a zoning permit and to clean up the rubbish/garbage.

The Zoning Officer addressed the Meyers property (123B Godfrey Street); property cleaned up.

The Zoning Officer addressed the Lanshe property (117 Godfrey Street); property appears to have been cleaned up a little more. There are two areas of concern; a NOV was sent; citations can be filed in the future if needed.

The Zoning Officer addressed Levan property (200 Deck Road); received a telephone call complaining about rubbish and weeds at the road. A site visit noted there were some items that needed to be cleaned up; a nice guy letter was sent.

Land Development

Reaffirm Lanita Specialized Land Development Plan – The Board granted Conditional Final Plan approval on February 10, 2016 with conditions – The plan was reaffirmed at the June 8, 2016 meeting – Need a motion to authorize the plan and agreements to be signed

Vice Chairman Kramer made a motion to reaffirm Lanita Specialized Land Development Plan and to authorize the Board to sign the plan and agreements. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

STAFF REPORTS

Police Report – Chief Kerschner read the January, 2017 Police report as follows:

ACTIVITY	TULPEHOCKEN TWP	MARION TWP
MILES PATROLLED	3112	1133
GALLONS OF FUEL	323	0
HOURS WORKED	508	60
PATROL HOURS	373.25	54.75
TULPEHOCKEN AREA SCHOOL DIST. HOURS	28	0
TOTAL INCIDENTS	2	4
TOTAL COMPLAINTS	11	7
MISCELLANEOUS CALLS FOR SERVICE	44	5
FOLLOW-UP INVEST	4	4
TELEPHONE ASSIGNMENTS	23	14
COMM/RESIDENTIAL ALARMS	1	3
EMS/FIRE ADVISORIES	12	8
TRAFFIC STOPS	11	7

CITATIONS ISSUED	19	8
NON-TRAFFIC CITATIONS	0	0
TRAFFIC WARNINGS	3	2
WARRANTS	0	0
PARKING TICKETS	0	0
TRAFFIC ACCIDENTS	8	3
DUI ARRESTS	0	0
MISDEMEANOR/FELONY	0	4
SECURITY CHECKS	73	38
POLICE ASSISTS	14	0
MOTORISTS ASSISTS	1	0
COURT APPEARANCES	2	1
SCHOOL HOURS	0	0

Chief Kerschner reported that during the month of January there were 148 calls received through Berks County 911 for police services. He reported that Officer Hepler will be attending a Range Master class on February 22nd and 23rd, the cost is \$209. He advised that one (1) of the tires on the Crown Victoria blew out; he would like to order two (2) tires. The Board authorized the purchase of two (2) tires under the state contract. He also advised that Officer Hepler, Officer Dronick and himself will be attending training at the Police Academy in Reading for two (2) days in March.

Road Master's Report – Supervisor Feick read the January, 2017 report. The work consisted of salting icy patches, meter reading, sewer maintenance, equipment maintenance, CDL testing, telephone calls, stock piling salt, pick up parts/supplies, mix anti-skid, work on street lights, sign maintenance, snow event, work in shop, checking sewer samples, meet with Township Engineer, meet with salesman, review Conservation District grant paperwork, met with McCarthy Engineering, inspect force main hookup, check on replacing old steel signs, clean brush on Cherry Hill and Deck Roads, sewer issues (EQ pump in Rehrersburg), cut and remove tree on Stone Road, repair off set along Stone Road, dig stump out at Wintersville and Rehrersburg Roads, cut up tree on Midway Road, paper work and sewer call for a leaky force main

Supervisor Feick advised that he will be ordering salt.

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.

Partial Sewer Waiver Requests

Estate of Nancy J. Light (3 North Magdalena Street)

The Board discussed the request and the discussion that took place last year with regards to waiver requests and what would qualify a property; it was agreed to grant the waiver due to the applicant meeting the Township's requirements. The property was owner occupied and not a commercial or rental property. Residents in the audience disagreed; they commented that the property now has another owner and maybe the sale price is too high. The Board noted that according to the Berks County Tax Record the property is still in the name of the Lights, even though it is in an estate.

Chairman Deck made a motion to grant the waiver request for the property located at 3 North Magdalena Street; noting that the property will be charged ½ of the user fees for up to one (1) year, starting with the second quarter of 2017. The waiver will become void if the property is rented or sold. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Update on broken sewer pipe located at 7685 Lancaster Avenue – Township notified Saturday, January 28th

Supervisor Feick updated the Board; he reported that the pipe has been repaired and that he is waiting for the hauler to come and remove the contaminated soil, which should happen this week. At this time no correspondence has been received from DEP. Attorney Hartman inquired if the leak could have been responsible for infiltration into the system. The Board discussed scenarios that may have been responsible for the pipe breaking.

UNFINISHED BUSINESS

Review quote received for identification sign for Rehrersburg

Supervisor Feick updated the Board; he reported on quotes received from Brown Signs. Depending on the size the prices ranged from \$955 to \$1,575 and \$278 per sign for installation; it was agreed that the Township is not interested in the reflective signs. The Board discussed the old cast iron signs. The quote did not provide pricing for the small signs. Mr. Royer advised that he would do more research and reach out to the community.

NEW BUSINESS

State Salt Contract for 2017/2018 – Contract is due March 15, 2017 – must purchase at least 60% and cannot go more than 140% of bid

Supervisor Feick made a motion to purchase 400 ton of salt under the 2017/2018 State Salt Contract. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

CORRESPONDENCE

Package received from McCarthy Engineering – Does the Board wish to schedule a meeting?

The Board discussed McCarthy Engineering and agreed that they had no interest; noting that they are happy with the current engineering company.

OTHER BUSINESS

Classes offered by Albright College – Would the Supervisors like to attend or have members from other Boards attend?

The Board discussed the classes being offered. Chairman Deck and Supervisor Feick advised they were not interested in attending at this time. Vice Chairman advised that he wanted to think about it, but would let the Township Secretary know. It was noted that the information had been provided to the Planning Commission; at this time none of them advised that they would like to attend.

2017 EAC Network Conference – Saturday, May 6th – Registration Fee is \$35, must register by March 14th – Conference held at the Double Tree Resort in Lancaster

The Board discussed the conference and agreed they had no interest at this time.

2017 Berks County Environmentally Sensitive Maintenance Training – October 24th & 25th (Tuesday & Wednesday) – Training will take place at Cabela's

The Board discussed the training and agreed they had no interest at this time; it was noted that Supervisor Feick had previously attending this training.

Chairman Deck commented with regards to the recent news that the State will start charging a \$25 fee per resident for State Police services for municipalities that are not currently providing police services. Attorney Hartman reported on what information he had at this time. Mrs. Deck commented on how this could affect small municipalities and their budgets. The Board discussed what they currently pay for police services verses what they would pay if they used the State Police.

FINANCIAL REPORT AND APPROVAL FOR PAYMENT OF BILLS

Account Balances for the end of January, 2017 were as follows:

General Account	\$ 55,120.74
First Citizens General Holding Account	\$ 71,262.90
General Plus Account	\$179,575.60
State Aid Account	\$ 102.35
State Plus Account	\$ 83,146.35
Street Light Account	\$ 11,057.26

Payments of Bills for this February 8, 2017 meeting are:

General Account combined with the payroll account – Checks #17239 to #17279 in the amount of \$23,129.99
Street Light Account – Check #360 in the amount of \$2,078.73
State Liquid Fuels Account – Checks #192 & #193 in the amount of \$9,987.34
Camp Calvary Land Dev. Escrow –
Camp Calvary Inspection Escrow –
Village Estates Improvements Inspection Escrow –
Stormwater Inspection Escrow –
Total Expenses for this meeting – \$35,196.06

Supervisor Feick made a motion to approve the payments of the bills for this February 8, 2017 meeting. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Sewer Accounts balances for the end of February, 2017 were as follows:

Sewer Operation Account – \$1,282.68
Balance in the Sewer Holding Account - \$77,349.88
Debt Service Account - \$404,888.34

Payments of Bills in the Sewer Operation Account for this February 8, 2017 meeting are:
Check #1881 to #1895 in the amount of \$18,362.44

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

Vice Chairman Kramer made a motion to adjourn the meeting at 8:25 P.M. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Respectfully Submitted,

Christy Flaherty

Secretary, Tulpehocken Township