

**Tulpehocken Township  
Board of Supervisors  
Meeting of January 7, 2019**

The Tulpehocken Township Board of Supervisors met on January 7, 2019 in the Township meeting room at 7 P.M. In attendance and voting were Supervisors: Chairman Gary Deck, Vice Chairman Richard Kramer and Lester Feick, Supervisor. Also present were Kris Kerschner, Police Chief, Robbi Lane, Police Secretary and Christy Flaherty, Township Secretary/Treasurer.

Members of the audience included: Lori Deck, John & Fern Swope, Henry Bicher and Larry Dean Martin.

**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**

*None.*

**APPROVAL OF MINUTES**

*Vice Chairman Kramer made a motion to approve the minutes from the December 12, 2018 Board of Supervisors meeting. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

**DISCUSS POLICE CONTRACT AND EMPLOYEE HANDBOOK WITH REGARDS TO PAYROLL AND OVERTIME**

The Board was provided with copies of the current Police Contract and the Employee Handbook. It was clarified that with regards to calculating the payroll for contracted employees (Police) – that anything over 40 hours per work week is OT, regardless if the 40 hours is comprised of holiday, vacation, sick or bereavement pay. Several scenarios were presented as to why a Police Officer may be receiving OT when using vacation or sick time. The Board agreed that with regards to the Police Contract the Township Solicitor should be contacted to clarify what does the term “scheduled holidays” mean? Does it include scheduled vacation time? Further discussion will take place once hearing back from the Solicitor. The Board discussed the Employee Handbook; it was clarified that with regards to non-contracted employees, OT is calculated per the employee handbook. Two (2) of the Supervisors had suggested that with regards to OT the Employee Handbook and Police Contract match; it was noted that decision would need to be approved by the Township Elected Auditors due to working Supervisors being affected. Scenarios were presented as to why non-contracted employees may be receiving OT.

*Supervisor Feick made a motion to have the overtime section of the Employee Handbook reviewed by the Township Elected Auditors. The motion was seconded by Vice Chairman Kramer and passed with Chairman Deck voting nay (2-1-0).*

The Board discussed the matter further with regards to non-contracted employees and OT; it was agreed to leave the handbook as is.

*Supervisor Feick made a motion to withdraw the motion to have the Elected Township Auditors review the Employee Handbook. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

**The Board agreed that payroll should continue to be calculated as it is currently being done until further notice is given.**

## **ADMINISTRATIVE ACTIONS**

### **Planning Commission**

***Lot Annexation Plan for John & Fern Swope Tract: Time expires January 30, 2019. Jim Henke from Pioneer Management was present to discuss this plan. The purpose of this plan is to have the Swopes obtain a gross and net acreage greater than one acre.***

***The Township Engineer stated that the pump station issue really isn't an issue for this Annexation plan. There are options moving forward for this listed in the Township Engineer review letter dated January 2, 2019.***

- ***Prior to allowing this Annexation Plan to be recorded that this must be resolved.***
- ***From discussion with the Developer and the Engineer they are in the process of developing the Phase 2 plans for Mountain Meadows. The Township could make correcting the pump station issue part of the subdivision.***
- ***The Developer posts escrow amount and an agreements to cover the cost of condemnation if the Township is required to take the pump station property by condemnation.***

***The Township Solicitor stated that he reviewed the recorded easements for access and sewer lines and is satisfied that the Township has the ability to maintain the pump station even without the real-estate being owned by the developer or Township. It should be resolved in a better way when the Phase II plan comes through and a new pump station is created.***

***There is a waiver request letter for the following two sections of the Township Ordinance:***

- ***Section 301.1.M-Existing features located within 50 feet of the tract. There is no earthwork being considered or proposed as a part of this plan.***
- ***Section 301.4.G- Existing adjoiners. This section requires the adjoiner names and reference numbers to be placed adjacent to the project site. This information is away from the Swope parcel and feel that it is irrelevant for this plan.***

***Gary Deck made a motion to recommend to the Board of Supervisors to grant the waiver request for Section 301.1.M and Section 301.4.G. Seconded by Laverne Frey and approved unanimously.***

***Vice Chairman Kramer made a motion to grant the waiver request for Section 301.1.M and Section 301.4.G. 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 condition plan approval with the following conditions. Seconded by Scott Hetrick and approved unanimously.***

- ***The conditions of the Township Engineer review letter dated January 2, 2019 with conditions under general comments 4b which states from discussion with the Developer and the Engineer they are in the process of developing the Phase 2 plans for Mountain Meadows. The Township could make correcting the pump station issue part of the subdivision.***

- *The Township Solicitor would like three deeds and also would like to review the three deeds along with proof of recording of the deeds (the applicant has posted \$500 escrow to insure that the deeds are recorded). These deeds are necessary to implement the intent of this new plan and to make sure that we do not have any “orphan parcels” as a consequence of this new plan approval.*
  1. *One from the Developer to the Swopes for the triangle area (Parcel A and Parcel B)*
  2. *Another deed from the Swopes to themselves incorporating the triangle area into the existing parcel.*
  3. *The third deed where Parcel C or the residue of is incorporated into the Developers larger tract.*

*Laverne Frey made a motion to recommend to the Board of Supervisors to grant the 90 day time extension for this plan. This would give a new date of April 30, 2019 if conditional plan approval is not granted at the Board of Supervisors meeting. Seconded by John Zimmerman and approved unanimously.*

*Vice Chairman Kramer made a motion to grant Condition Plan approval with the following conditions:*

- *The conditions of the Township Engineer review letter dated January 2, 2019 with conditions under general comments 4b which states from discussion with the Developer and the Engineer they are in the process of developing the Phase 2 plans for Mountain Meadows. The Township could make correcting the pump station issue part of the subdivision.*
- *The Township Solicitor would like three deeds and also would like to review the three deeds along with proof of recording of the deeds (the applicant has posted \$500 escrow to insure that the deeds are recorded). These deeds are necessary to implement the intent of this new plan and to make sure that we do not have any “orphan parcels” as a consequence of this new plan approval.*
  1. *One from the Developer to the Swopes for the triangle area (Parcel A and Parcel B)*
  2. *Another deed from the Swopes to Another deed from the Swopes to themselves incorporating the triangle area into the existing parcel.*
  3. *The third deed where Parcel C or the residue of is incorporated into the Developers larger tract.*

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

*The Board of Supervisors would like the Planning Commission to discuss whether to remain a six member board or go back to a five member board. Robert Sattazahn and Gary Deck both commented that they would like to go back to a five member board.*

*Robert Sattazahn made a motion to recommend to the Board of Supervisors to have the Planning Commission go back to a five member board. Seconded by Laverne Frey and approved unanimously.*

*Vice Chairman Kramer made a motion to authorize the Township Solicitor to prepare and advertise an ordinance reducing the number of Planning Commission members from six (6) to five (5). The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

### **Solicitor Legal Discussions**

*None.*

## Escrow Release

Mr. Martin reported that he thought his escrow would be released tonight. Mrs. Flaherty advised that she had not received authorization from the Township Engineer; she advised that she would contact the Engineer for an update and suggested that the Board could make a motion to release the funds upon the Engineer's recommendation rather than making Mr. Martin wait until the February meeting.

*Supervisor Feick made a motion to authorize the release Mr. Martin's escrow balance in the amount of \$4,593.02, upon receipt of the Engineer's recommendation. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

## Correspondence from Zoning Officer

*December – No update received*

## Land Development

*None.*

## STAFF REPORTS

*Police Report* – Chief Kerschner read the December, 2018 Police report as follows:

ACTIVITY	TULPEHOCKEN TWP	MARION TWP
MILES PATROLLED	2420	637
GALLONS OF FUEL	240.5	0
HOURS WORKED	376	60
PATROL HOURS	267.5	34.25
TULPEHOCKEN AREA SCHOOL DIST. HOURS	23.5	0
TOTAL INCIDENTS	4	0
TOTAL COMPLAINTS	6	3
MISCELLANEOUS CALLS FOR SERVICE	26	3
FOLLOW-UP INVEST	1	0
TELEPHONE ASSIGNMENTS	11	3
COMM/RESIDENTIAL ALARMS	1	0
EMS/FIRE ADVISORIES	13	7
TRAFFIC STOPS	10	2
CITATIONS ISSUED	5	2
NON-TRAFFIC CITATIONS	0	0
TRAFFIC WARNINGS	5	0
WARRANTS	0	0
PARKING TICKETS	0	0
TRAFFIC ACCIDENTS	2	1
DUI ARRESTS	0	0
MISDEMEANOR/FELONY	1	0
SECURITY CHECKS	54	52
POLICE ASSISTS	6	0
MOTORISTS ASSISTS	0	1
COURT APPEARANCES	5	0

Chief Kerschner reported that during the month of December there were 111 calls received through Berks County 911. The Board discussed ARL and purchasing the scanner. Mrs. Flaherty advised that she did contact ARL to request information regarding the microchip scanner.

***Motion to accept and sign Police Agreement with Marion Township***

*Vice Chairman Kramer made a motion to accept and authorize the Chairman to sign the Police Agreement with Marion Township. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

***Road Master's Report*** – Supervisor Feick read the December, 2018 report. The work consisted of sewer call out, sewer maintenance/repairs, meter reading, sign maintenance/repairs, work in shop, inspect broken sewer line, Midway Road project, equipment repairs/maintenance, telephone calls, work on pump station (RWWTP), calibrate meters, remove barricades on Midway Road and p/u parts and supplies.

The Board discussed Deck Road needing maintenance in the area of the Stoltz property (between 33 & 51 Deck Road).

***Midway Bridge Payment Release #1 – Motion to authorize payment of Mar-Allen invoice #5466 in the amount of \$48,396.73***

Payment will be authorized thru January bills list.

***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.

***Motion to adopt Resolution 2019-4, increase tapping fee from \$3,501.11 to \$3,811.20***

*Vice Chairman Kramer made a motion to adopt **Resolution 2019-4**; increasing the tapping fee from \$3,501.11 to \$3,811.20. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

The Board discussed the bad chemicals received from Main Pool & Chemical Co.; it was agreed that Mrs. Claman should document the expenses incurred to the Township due to the damages. Supervisor Feick reported that the bill has been paid and that Mrs. Claman has been in touch with Main Pool & Chemical Co. to request a refund.

Supervisor Feick reported that the water usage at the Rehrersburg Waste Water Treatment Plant has been reduced due to two (2) major leaks being found.

**UNFINISHED BUSINESS**

*None.*

**NEW BUSINESS**

***Motion to adopt Resolution 2019-5; Berks County Joint Purchasing Fuel Bid for 7/1/19 – 6/30/20***

*Vice Chairman Kramer made a motion to adopt Resolution 2019-5; Berks County Joint Purchasing Fuel Bid for 7/1/19 – 6/30/20. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

**CORRESPONDENCE**

***Berks County Conservation District – request for donation. Contributed \$200 in 2010 & 2011 and \$500 in 2018***

*Supervisor Feick made a motion to authorize the donation of \$500 to the Berks County Conservation District. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

***Mr. & Mrs. Bicher (75 Cherry Hill Road) – request to allow family to live in camper on property for the next four (4) months***

Mr. Bicher updated the Board with regards to his son’s family; noting that his son served in the Air Force for nine (9) years and is finishing up his last year of college. He graduates this May; after graduation the family does not expect to continue to reside in the trailer.

*Supervisor Feick made a motion to allow the family to live in the camper; noting that July 1, 2019 the camper must be vacant. The motion was seconded by Chairman Deck and passed unanimously (3-0).*

The Board requested to Mr. Bicher to thank his son for his service.

**OTHER BUSINESS**

***Motion to accept quote from SmrtGuys for Bi-Yearly Service Contract for a cost of \$807.50***

*Supervisor Feick made a motion to accept the SmrtGuys bi-yearly service contract for a cost of \$807.50. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

Chairman Deck inquired if the Township still uses services provided by Carl Giorgio. Mrs. Flaherty advised that Mr. Giorgio’s services are with regards to the Township’s accounting program DacEasy. The services provided by SmrtGuys have nothing to do with the accounting system. She also reported that if the Township used a payroll service the yearly update fee and consultant fee to Mr. Giorgio would be reduced; she will look into getting quotes for outsourcing payroll.

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

Account Balances for the end of December, 2018 were as follows:

General Account	\$105,020.04
First Citizens General Holding Account	\$ 18,293.50
General Plus Account	\$255,277.70
State Aid Account	\$ 21.47
State Plus Account	\$ 11,671.10
Street Light Account	\$ 11,940.15
Recreation Planning Escrow Account	\$ 38,242.61

Payments of Bills for this January 7, 2019 meeting are:

General Account combined with the payroll account – Checks #18824 to #18871 in the amount of \$69,549.48  
Street Light Account – Check #382 in the amount of \$1,228.67  
State Liquid Fuels Account – Check #200 in the amount of \$241,080.15  
Recreation Fund –  
Camp Calvary Land Dev. Escrow –  
Camp Calvary Inspection Escrow –  
Village Estates Improvements Inspection Escrow –  
Stormwater Inspection Escrow –  
Total Expenses for this meeting – \$311,858.30

*Vice Chairman Kramer made a motion to approve the payments of the bills for this January 7, 2019 meeting. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

Sewer Accounts balances for the end of December, 2018 were as follows:

Sewer Operation Account – \$796.25  
Balance in the Sewer Holding Account - \$79,832.88  
Debt Service Account - \$415,354.49

Payments of Bills in the Sewer Operation Account for this January 7, 2019 meeting are:  
Check #2255 to #2268 in the amount of \$14,520.83

*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**

*Supervisor Feick made a motion to adjourn the meeting at 8:44 P.M. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

Respectfully Submitted,

*Christy Flaherty*

Secretary, Tulpehocken Township