

**Tulpehocken Township
Board of Supervisors
Meeting of July 8, 2015**

The Tulpehocken Township Board of Supervisors met on July 8, 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: Michael Wagner, Reading Eagle; John R. Poff, Matthew & Hockley; Lloyd Schneck, Kevin Brown, Ruth Moyer, Nelson Beidler and Mr. & Mrs. Ronald Snyder.

CALL TO ORDER

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

The meeting continued with the pledge to the American Flag.

PUBLIC COMMENTS

Mr. Brown thanked the Township for everything they are planning to do for him in the near future. He presented a copy of a plan drawn up by DeVon Henne with regards to the Township vacating a portion of Apple Street. Attorney Hartman advised that he has been communicating with Mr. Henne on the matter. Mr. Brown advised on what the plan is proposing. Attorney Hartman noted that Mr. Brown's property is not a corner lot and also discussed the structures currently located in the Township Right-of-Way. The plan being recommended for Apple Street would make the new ROW 33 ft. instead of 66 ft. and would remove any existing structures from the current ROW. The Board discussed the land located at the end of Tanner Street and what would be involved for Mr. Brown to acquire that land. Attorney Hartman advised that Mr. Brown would need to initiate a Quiet Title action. Mr. Brown advised that he is not interested in taking ownership of the land located at the end of Tanner Street. Attorney Hartman advised that the proposed plan does not address all problems such as the land located at the end of Tanner Street and other properties in the Village that have encroachments into the ROW area. He noted that Mr. Brown is paying the survey costs for the vacating of Apple Street and that sometime in the future the Board could address other properties in the Village that have encroachments into the ROW. Mr. Brown discussed the storm drain located at the end of Tanner Street and the issues with regards to the water running onto his property. He provided photos to the Board for their review. Chairman Deck commented on the need to regrade the area to address the stormwater runoff. The Board agreed that the Township will address the problem. Mr. Brown inquired on his Occupancy Permit and waiting until the land deal is completed. Attorney Hartman advised that with regards to the Occupancy Permit, if the Board gives direction to get the process started to approve the vacation of Apple Street it could be passed at the August or September meeting at the latest. Mr. Brown is hoping to be in his new home in ninety (90) days. The Board discussed why the ROW on Apple Street was so large. Attorney Hartman advised that the layout predates any type of motorized vehicles.

Supervisor Feick made a motion to authorize the Solicitor to prepare an ordinance to vacate the portion of the street shown on the plan presented this evening (Project 10630-A, Dated 7/3/15). The

motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Attorney Hartman will contact Mr. Henne to request the plan in an 8 ½ X 11 format with a legal description of the shaded areas. He will forward the information to the Township Secretary. He will begin preparing the ordinance and will try to have it ready for approval by the Board at the August meeting, but definitely by the September meeting.

Mr. Beidler inquired with regards to the area on Magdalena Street, Rehrersburg where the roadway is sinking and what the Township is going to do. The Board agreed that the Township will address the matter.

APPROVAL OF MINUTES

Vice Chairman Kramer made a motion to approve the minutes from the June 10, 2015 Board of Supervisors meeting. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

ADMINISTRATIVE ACTIONS

Planning Commission

Sketch Plan of Record for the Keller Annexation – Ray Daub made a motion to recommend to the Board of Supervisors to grant conditional plan approval. Scott Hetrick seconded the motion. All in favor, motion carried. The conditions are as follows:

- ***Provide a copy of the proposed deed from Paul Keller to his son Jeffrey Keller and a consolidation deed to the Board of Supervisors for their review as well as the Township Solicitor.***
- ***The applicant's surveyor, DeVon Henne will provide a revised sheet 2 to note the building setbacks on the Supervisors' meeting on July 8, 2015.***

Mrs. Flaherty reported that Mr. Henne did bring in the revised sheet 2.

Attorney Hartman reported that Mr. Henne did provide Mr. Keller's attorney the legal descriptions, but he has yet to receive the draft deeds and he would like to review them. He recommended that the Board grant conditional plan approval on the condition that the Township Solicitor receives the deeds and that they are found to be satisfactory.

Vice Chairman Kramer made a motion to grant Conditional Plan approval of the Sketch Plan of Record for the Keller Annexation on the condition that the Solicitor receives the deeds and that they are found to be satisfactory. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Lanita Specialized Preliminary Plan – Time expires August 5, 2015. John Zimmerman made a motion to recommend to the Board of Supervisors to grant the time extension request for Lanita Specialized to November 11, 2015, the day of the Board of Supervisors' meeting. Ray Daub seconded the motion. All in favor, motion carried.

Vice Chairman Kramer made a motion to grant the time extension for Lanita Specialized to November 11, 2015. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Solicitor Legal Discussions

Update regarding Kevin Brown – This matter was addressed under Public Comment.

Escrow Release

None.

Chairman Deck commented with regards to the escrow release that took place at last month's meeting and inquired if that is a common practice with regards to building a new home and escrow. Attorney Hartman discussed how some municipalities handle escrow accounts. Mr. Poff also reported on his experiences with regards to escrow accounts. The Board discussed stormwater regulations, land development plans and subdivision plans. Chairman Deck noted that he does not want to discourage people from building new homes.

Correspondence from Zoning Officer

The Zoning Officer addressed the Myers property (123B Godfrey Street). The property owner's daughter called and advised that they will begin cleaning up the property

The Zoning Officer addressed the Lanshe property (117 Godfrey Street). Mr. Lanshe called to advise that he will begin cleaning up the property, but it will be slow. The Board discussed the shed type structure being erected and the material being used. It was suggested to have the Zoning Officer conduct a site visit.

Chairman Deck made a motion to authorize the Zoning Officer to conduct a site visit and to send correspondence if she feels that the shed type structure is not appropriate. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

The Zoning Officer addressed the Smith property (238 Godfrey Street). Ms. Smith is working to clean up the property.

The Zoning Officer addressed the Kennelly property (15 West Market Street). The property owner has yet to contact the Zoning Officer; however the lawn has been mowed. The Zoning Officer suggested sending correspondence advising that the property needs to be mowed through the spring/summer.

Supervisor Feick made a motion to authorize the Zoning Officer to send correspondence to Ms. Kennelly with regards to maintaining the lawn. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

The Zoning Officer addressed the Fry property (121 Godfrey Street). The property owner has yet to contact the Zoning Officer, but it appears the grass has been cut.

The Zoning Officer addressed the Noll property (7668 Lancaster Avenue); she reported that she has not heard back from the property owner as of yet and recommends sending a NOV.

Supervisor Feick made a motion to authorize the Zoning Officer to send a Notice of Violation to the Noll's. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

The Zoning Officer addressed the Werni property (342 Godfrey Street); she reported that she has not had any recent contact with the Werni's.

Chairman Deck made a motion to authorize the Zoning Officer to send correspondence to the Werni's with regards to them meeting the obligations on the agreement they signed. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

The Zoning Officer addressed the Heffner-Davidheiser property (574 Godfrey Street); she reported she has not had any recent contact.

Supervisor Feick made a motion to authorize the Zoning Officer to contact the property owner's attorney again. The motion was seconded by Chairman Deck and passed unanimously with Vice Chairman Kramer abstaining (2-0-1).

The Zoning Officer addressed the Zimmerman property (354 Godfrey Street); she reported that she received no response and suggested sending a NOV.

Supervisor Feick made a motion to authorize the Zoning Officer to send a Notice of Violation to the Zimmerman's. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

The Zoning Officer addressed the Sensenig property (5162 Route 419).

Chairman Deck made a motion to authorize the Zoning Officer to send a Notice of Violation to the Sensenig's. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

The Board discussed the Goroshko property (105 Teen Challenge Road) with regards to the storage pods.

Chairman Deck made a motion to authorize the Zoning Officer to send a Notice of Violation. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Citizen's Complaint received from Mr. & Mrs. Willets with regards to 117 Godfrey Street, Rehdersburg (Lanshe Property) – Burning, Unattractive Yard/Outbuildings

The Board discussed the complaint regarding the Lanshe property and the State regulations with regards to outdoor furnaces. Attorney Hartman suggested the Township consider enacting a no burning ordinance or contacting the DEP.

Vice Chairman Kramer made a motion to authorize the Township Secretary to contact the DEP to report the outdoor furnace. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Citizen’s Complaint received from Mr. Neff with regards to 174 Greble Road, Myerstown (Martins Property) – Weed/Lawn Maintenance Issues, Property Maintenance Issues

Supervisor Feick updated the Board on his site visit of the property. Attorney Hartman advised the Board of their options and discussed the Property Maintenance Code.

Supervisor Feick made a motion to authorize the Zoning Officer to look into the matter and send correspondence if required. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

LAND DEVELOPMENT

None.

STAFF REPORTS

Road Master’s Report – Supervisor Feick read the June, 2015 report. The work consisted of sewer maintenance, meter reading, highway mowing, sewer work, telephone calls, meeting with Zoning Officer, meeting with Kevin Brown re: water problems, repair traffic signal, pick up parts/supplies, lawn/grass mowing, check out problems in Mt. Aetna, work on Teen Challenge Road, equipment repairs/maintenance, work in shop/office, meeting with Township Engineer, trimming, Teen Challenge Road project, sewer alarm (RWWTP), stock pile stone, repair flagpole, street sweeping, call out for pump station (Market Street), haul two (2) loads of salt and patching on Cherry Hill Road.

Supervisor Feick updated the Board with regards to the pipe replacement project on Stouchsburg Road; he advised that the road didn’t meet the traffic requirements to qualify for the grant and that the Township Engineer should start working on the permit.

Supervisor Feick made a motion to authorize the Township Engineer to begin working on the permit for the Stouchsburg Road Project. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

The Board estimated the cost of the project to be \$20,000.

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

Activity	Tulpehocken Twp.	Marion Twp.
Miles Patrolled	3009	943
Gallons of Fuel	299.5	0
Hours Worked	450	60
Patrol Hours	308.75	59.75
Total Incidents	5	6
Total Complaints	20	7
Miscellaneous Calls for Service	49	9

Follow-up Investigations	7	4
Telephone Assignments	11	19
Comm/Residential Alarms	1	0
EMS/FIRE Advisories	8	6
Traffic Stops	29	6
Citations Issued	26	7
Non-Traffic Citations	0	0
Traffic Warnings	3	1
Warrants	0	0
Parking Tickets	0	0
Traffic Accidents	7	2
DUI Arrests	0	0
Misdemeanor/Felony	0	0
Security Checks	63	10
Police Assists	10	0
Motorists Assists	1	0
Court Appearances	0	2
School Hours	0	0

Chief Kerschner reported that during the month of June there were 147 calls received through Berks County 911 for police services.

Chief Kerschner advised that the officers will be attending CPR & AED training on July 12, 2015 and that an Aggressive Driving Grant detail will be conducted on Rt. 419 from July 6th – August 30th. The Township will receive \$1,100. for the detail and Office Hepler will have 12 hours, Officer Dronick will have 12 hours and Chief Kerschner will have 8 hours. He reported that there was a recall for the Chevy Caprice and the vehicle will be going in for repairs on July 9th. He advised on the quotes he received for tires for the Chevy Caprice – two (2) tires for a total of \$457.80. The Tahoe and Crown Victoria also will need tires, but that can wait until October. Tires for the Crown Victoria are \$157.05 per tire. He also discussed the replacement of the Police Secretary’s computer for a cost of \$1,036.

Supervisor Feick made a motion to authorize the purchase of two (2) tires for the Chevy Caprice for a cost of approximately \$457.80. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Supervisor Feick made a motion to authorize the purchase of a new computer for the Police Secretary for a cost of approximately \$1,036. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Chairman Deck thanked Chief Kerschner for providing the Board with the 2014 Yearly Police Report.

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

The Board discussed Teen Challenge with regards to fireworks scheduled for June 25, 2015. It was noted that they have not contacted the Township of Fire Company for coverage.

Chairman Deck made a motion to authorize the Township Secretary to contact Teen Challenge to remind them to send out their requests. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

SEWER OPERATIONS

Judgments and Delinquent Sewer Accounts

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

Mervin & Joanne Zimmerman (354 Godfrey Street)

The Board discussed the 2015 payment history and agreed to have the Sewer Secretary send a reminder letter noting that their payment is due on the 15th of each month and that they are currently behind one (1) month. If the account is not kept current the Township will precede with the Sheriff Sale on personal property scheduled for September, 2015.

Supervisor Feick made a motion to authorize the Sewer Secretary to send a reminder letter to the Zimmerman's noting that their payment is due on the 15th of each month and that they are currently behind one (1) month. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Scott & Lorraine Jackson – 18 East Market Street

The Board discussed the Judgment and agreed to authorize the Sewer Secretary to send a letter.

Supervisor Feick made a motion to authorize the Sewer Secretary to send correspondence with regards to the Jackson's account. The motion was seconded by Chairman Deck and passed unanimously (3-0).

Complaint received from Tammy Hoover via telephone on July 2, 2015

The Board discussed the complaint received from Tammy Hoover.

Sewer Waiver Requests

None.

Update Regarding 4 Deck Road

Supervisor Feick met with Mr. Bashore to inspect the property and confirmed that the property is in compliance.

2014 Annual Wasteload Management (Chapter 94) Report for Mt. Aetna (Permit #PA0088510) and Rehrersburg STP (Permit #PA0088528)

Chairman Deck discussed the correspondence received from the Pennsylvania Department of Environmental Protection dated June 12, 2015 and the items that should have been included in the Chapter 94 Report. It was agreed that the correspondence should be forwarded to Ludgate Engineering. Supervisor Feick advised that he would address the matter with the Township Engineer.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Opening of Bids for 28 Church Street – One bid received

Chairman Deck opened the bid for 28 Church Street. The bid was from Robert Kessler, a check for \$1,551. was included.

Chairman Deck made a motion to accept Mr. Kessler's bid, once the Township has confirmation that the total bid is \$15,250. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Attorney Hartman will contact Mr. Kessler to confirm the bid amount.

28 Church Street – Received 2015 School Real Estate Tax Bill – Due by August 31st to receive discount

The Board agreed to wait to pay the School Real Estate Taxes until the closing.

Vice Chairman made a motion to pay the School Real Estate Tax for 28 Church Street when the property goes to closing. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Citizen's Complaint received from Mr. & Mrs. Willets with regards to 117 Godfrey Street, Rehrersburg (Lanshe Property) – Burning, Unattractive Yard/Outbuildings

This matter was discussed under Correspondence from Zoning Officer.

Citizen's Complaint received from Mr. Neff with regards to 174 Greble Road, Myerstown (Martins Property) – Weed/Lawn Maintenance Issues, Property Maintenance Issues

This matter was discussed under Correspondence from Zoning Officer.

CORRESPONDENCE

The Board discussed the correspondence received from the Berks County Conservation District dated June 30, 2015, with regards to Agricultural Operation E&S Obligations and agreed to put something in the Township newsletter. Mrs. Flaherty advised that copies of the brochure are available at the Township.

OTHER BUSINESS

Discuss Township Newsletter

The Board reviewed the proposed newsletter and discussed additional information to be added. Mrs. Flaherty advised that this is just a draft and that she would like to make the newsletter look more appealing/maybe include some photos. The Board discussed what it will cost for the mailing and agreed that Mrs. Flaherty should contact the Post Office to check on the cost. Mrs. Flaherty advised that she plans on contacting Mrs. Boltz to see how she mailed the newsletter in 2012; she will provide the Board with an update at the August meeting.

Harold Shirk Shoulder Widening

Chairman Deck advised that he received a telephone call from Martin's Paving inquiring if the road should be milled or saw cut. The Board agreed that roadway can be milled. It was noted that the contractor or Mr. Shirk should contact Supervisor Feick prior to starting the work.

Smart Growth Alliance of Berks County Call for Nomination

The Board agreed they had no nominations at this time.

BCW&SA Conference – July 29, 2015 – Albright College

The Board agreed they were not interested in attending the Conference.

FINANCIAL REPORT AND APPROVAL FOR PAYMENT OF BILLS

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

General Account	\$ 8,095.32
FNB Fredericksburg Holding Account	\$ 77,644.40
General Plus Account	\$178,776.54
State Aid Account	\$ 291.39
State Plus Account	\$158,702.38
Street Light Account	\$ 16,850.04

Payments of Bills for this July 8, 2015 meeting are:

- General Account combined with the payroll account- Checks #16042 to #16071 in the amount of \$27,974.47
- Street Light Account – Check #340 in the amount of \$1,287.01
- 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 – \$29,261.48

Supervisor Feick made a motion to approve the payments of the bills for this July 8, 2015 meeting. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

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

Sewer Operation Account – \$4,512.30
Balance in the Sewer Holding Account - \$40,833.64
Debt Service Account - \$403,110.64

Payments of Bills in the Sewer Operation Account for this July 8, 2015 meeting are:

Check #1603 to #1612 in the amount of \$11,429.63

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

Supervisor Feick made a motion to adjourn the meeting at 9:16 P.M. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Respectfully Submitted,

Christy Flaherty

Secretary, Tulpehocken Township