

**Tulpehocken Township  
Board of Supervisors  
Meeting of June 12, 2019**

The Tulpehocken Township Board of Supervisors met on June 12, 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 Bryan Dronick, Police Officer and Christy Flaherty, Township Secretary/Treasurer.

Members of the audience included: Jeffrey Zimmerman, Harold Zimmerman, Dave Mease and Geneva Aulenbach (Reading Eagle).

**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**

*Supervisor Feick made a motion to approve the minutes from the May 8, 2019 Board of Supervisors meeting. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

**ADMINISTRATIVE ACTIONS**

**Planning Commission**

***Camp Calvary: Time expires August 26, 2019. Dave Mease from Diehm & Sons and Brian Wahlberg from Camp Calvary were both present. This plan is a revision to the final plan to convert the lower parking area from pavers which control stormwater to an impervious surface which requires a stormwater facility. The Township Solicitor stated that the Township was willing to work with Camp Calvary in 2009 to work at things as funds were available, however didn't realize the extended amount of time this would be. Does the Township want to see the plan come to closure and have an approved plan with agreements or does the Township wish to continue with a pending plan for an indefinite amount of time while Camp Calvary continues to construct improvements? The parking lot would be based on a revised design. Brian Wahlberg stated that plans are being drawn up with Conestoga Homes for the new office building. This plan has been on the Planning Commission agenda for many years and Brian Wahlberg hopes that they can close out very soon. Having the plan open for many years has caused some administrative challenges to keep track of the plan process. Camp Calvary would need to post a bond or escrow to close this plan. The Township Solicitor stated that under the Municipalities Planning Code it is not permitted to have a final recorded plan without the improvements either having already been constructed or that financial security is provided to the Township to guarantee the construction. The way this plan has been processed is completely legal. The Township is not asking for an escrow for buildings or paving, it is E & S and Stormwater controls. It is only for items that have potential off site impacts. The NPDES permitted needed to be amended which was a process as well. The chapel that was talked about years ago was discussed. Camp Calvary***

*does not wish to proceed with the chapel as there was an issue with fire access and they do not want to disturb the hill to that extent. The applicant's engineer will revise a cost estimate and submit it to the Township Engineer for his review and approval. Upon doing so, Camp Calvary will proceed with finalizing this plan. And then will come back in the future as other projects would like to be constructed. The applicant's engineer presented a waiver request from the Stormwater Management Ordinance Section 307.B.1.a – Limiting Zone Separation. This section requires a minimum separation of 48 inches between the soil limiting zones and the bottom of the infiltration facility. This plan proposes a minimum of 33 inches of separation for the proposed infiltration basin. This basin will be constructed with a porous planting soil mix and a rain garden seed mix, which will enhance water quality of the runoff through filtration and biological treatment.*

*Gary Deck made a motion to recommend to the Board of Supervisors to grant the waiver for Section 307.B.1.a. Seconded by Scott Hetrick and approved unanimously.*

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

Mr. Mease advised the Board that Camp Calvary will post an escrow in the amount of \$35,019.66 to cover the construction cost opinion. He also discussed the request for the waivers of Sections 304.B and 310.D with regards to the emergency spillway.

*Supervisor Feick made a motion to grant the waivers of Section 304.B and 310.D condition on the Township Engineer's approval. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

*John Zimmerman made a motion to recommend to the Board of Supervisors to grant conditional final plan approval based on the Township Engineer review letter dated June 5, 2019. Seconded by Robert Sattazahn and approved unanimously.*

*Vice Chairman Kramer made a motion to grant Conditional Final Plan approval based on the Mack Engineering review letter dated June 5, 2019 with the condition that the Township Engineer is in agreement with the construction cost opinion in the amount of \$35,019.66. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

**David G. Martin Poultry Plan:** *Time expires September 3, 2019. Frank Kuchinski from Red Barn Consulting was present to discuss the plan. This plan has been amended to no longer include the subdivision due to Ag Preservation issues. Mr. Martin will need to go to the state for subdivision approval. The basins are based upon the limit of disturbance, so the amount that is needed to infiltrate into the ground is calculated upon that area. So what happens during the pre-development, everything is looked at as a meadow. And then in the post development, the areas that are being graded are looked at as lawn. The Township Engineer is good with the cost estimate. The Township Solicitor will need to draft the financial agreements. The agreements will be forwarded to Red Barn on Monday, June 10. The Township still needs to receive the financial security as well.*

*John Zimmerman made a motion to recommend to the Board of Supervisors to grant waivers for Sections 302 and 307.B.1.a. Seconded by Laverne Frey and approved unanimously:*

- *Section 302 – This section pertains to the requirement of submitting a separate preliminary plan. There aren't any streets or subdivision of land proposed with this plan.*
- *Section 307.B.1.a. The section pertains to the requirement of providing a minimum of 48 inches of separation from the bottom of the infiltration facility to a limiting zone. The results with this plan provided a minimum of 24 inches of separation from a limiting zone.*

*Supervisor Feick made a motion to grant the waivers of Sections 302 and 307.B1.a. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

***Laverne Frey made a motion to recommend to the Board of Supervisors to grant conditional preliminary/final plan approval based on the Township Engineer review letter dated June 5, 2019. Seconded by Robert Sattazahn and approved unanimously.***

*Vice Chairman Kramer made a motion to grant Conditional Preliminary/Final Plan approval based on the Township Engineer review letter dated June 5, 2019. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

Mrs. Flaherty advised that the escrow has been posted and that the agreements have not been received from the Township Solicitor to date and requested a motion to authorize they be signed upon receipt.

*Supervisor Feick made a motion to authorize the agreements to be signed upon receipt. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

### **Solicitor Legal Discussions**

***Motion to adopt Resolution 2019-7 & Memorandum of Understanding with Marion Township – Spur Road Project***

*Vice Chairman Kramer made a motion to adopt **Resolution 2019-7** and to authorize the Chairman and Secretary to sign the Memorandum of Understanding with Marion Township. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

The Board discussed having the Solicitor draft a temporary work easement for the Miller's property.

### **Escrow Release**

***Joseph Halteman Dairy Operation – the Engineer is recommending a full release of the escrow Mr. Halteman posted. The current balance in the escrow account is \$7,735.29, which includes interest.***

*Vice Chairman Kramer made a motion to authorize the release Mr. Halteman's escrow in the amount of \$7,735.29. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

***Nelson Auken Poultry Operation – Partial Release – the Engineer is recommending a release of \$42,241. Mr. Auken submitted a Letter of Credit in the amount of \$56,641. The Engineer recommends holding \$14,400. The Board could authorize a partial release of Mr. Auken's LOC***

*Vice Chairman Kramer made a motion to authorize the partial release of Mr. Auken's Letter of Credit in the amount of \$42,241.00. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

### **Correspondence from Zoning Officer**

#### ***May Update***

The Zoning Officer addressed the Zimmerman property (354A Godfrey Street) with regards to vehicles. A citation will be sent.

The Zoning Officer addressed the Smith property (238 Godfrey Street) with regards to rubbish/debris needing to be cleaned up; some of the items have been cleaned up. Left a message for the property owner regarding items still needing to be addressed.

The Zoning Officer addressed the Weyandt/Mausser property (231 Godfrey Street) with regards to rubbish/debris. Correspondence was sent to the property owners with no response; will send NOV.

### Land Development

***Joseph D. Halteman (50 Camp Swatara Road) – motion to reaffirm the waiver of Land Development granted at the December 12, 2018 BOS meeting and to authorize the Chairman to sign agreements***

*Vice Chairman Kramer made a motion to reaffirm the waiver of Land Development for Joseph D. Halteman and to authorize the Chairman to sign the agreements. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

### STAFF REPORTS

***Police Report*** – Officer Dronick read the May, 2019 Police report as follows:

ACTIVITY	TULPEHOCKEN TWP	MARION TWP
MILES PATROLLED	2763	770
GALLONS OF FUEL	271	0
HOURS WORKED	568	60
PATROL HOURS	333.5	51.5
TULPEHOCKEN AREA SCHOOL DIST. HOURS	25	0
TOTAL INCIDENTS	4	0
TOTAL COMPLAINTS	22	11
MISCELLANEOUS CALLS FOR SERVICE	20	6
FOLLOW-UP INVEST	0	0
TELEPHONE ASSIGNMENTS	21	4
COMM/RESIDENTIAL ALARMS	1	1
EMS/FIRE ADVISORIES	15	7
TRAFFIC STOPS	50	7
CITATIONS ISSUED	46	6
NON-TRAFFIC CITATIONS	2	0
TRAFFIC WARNINGS	2	0
WARRANTS	0	0
PARKING TICKETS	1	3
TRAFFIC ACCIDENTS	6	0
DUI ARRESTS	0	0
MISDEMEANOR/FELONY	0	0
SECURITY CHECKS	65	50
POLICE ASSISTS	9	0
MOTORISTS ASSISTS	3	0
COURT APPEARANCES	1	1
SCHOOL (TRAINING) HOURS	0	0

Office Dronick reported that during the month of May there were 201 calls received through Berks County 911.

**Road Master's Report** – Supervisor Feick read the May, 2019 report. The work consisted of hauling topsoil, work on seal coating, mow lawns, telephone calls, sewer issues, work in shop, patching, trimming, sewer maintenance/repairs, stockpile stone, met w/ Rota Mill and Roger Reber, check on water conditions on Market Street, equipment repairs/maintenance, met with Charlie Paris (PennDOT Rep) and Gary Himmelberger, highway mowing, install box inlet, bore under roadway for pipe install, sign maintenance/repairs, order stone, work on water problem behind building, sewer call out, clean and wash off roadway, chipping Host Church Road, traffic control, met with Matt Mack, p/u parts/supplies, deal with down trees and flooding, clean up roadway from storm and street sweeping of Host Church Road.

The Board discussed needing intergovernmental agreements with Jefferson and Bethel Townships. It was agreed to have the Township Secretary draft the agreement for the Solicitors review.

*Supervisor Feick made a motion to authorize the Township Solicitor to review draft intergovernmental agreements with Jefferson and Bethel Townships. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

**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.

Supervisor Feick advised the Board that the Mt. Aetna Sewer Plant is having blower issues; one of the blowers is in the shop being repaired, the estimated repairs are \$1,700.

The Board discussed the new force main to be installed in Mt. Aetna; no updates.

## **UNFINISHED BUSINESS**

### ***Discuss outsourcing payroll***

Mrs. Flaherty provided the Board with documentation regarding payroll costs. The Board discussed the pros and cons with regards to outsourcing payroll; it was agreed to gather more information and to continue to have the payroll processed in house.

### ***Discuss advertising in the Berks-Mont Newspaper vs. the Reading Eagle***

Mrs. Flaherty provided the Board information regarding advertising in the Norther Berks Patriot Item. She reported that per the Township Solicitor the Township can advertise in any County paper as long as it has paid subscribers. The Board agreed to continuing advertising in the Reading Eagle.

***Update regarding traffic concerns at the intersection of Four Point Road, West Four Point Road, Rt. 419 and Rehrersburg Road***

Chairman Deck advised that he has left messages for the property owner and has received no response. It was agreed to have the Township Secretary contact PennDOT with regards to the safety concerns (site issues).

**NEW BUSINESS**

***Opening of Bids for 2019 DGLVR Project – Spur Road (Grant #1)***

The bids for the 2019 DGLVR Project – Spur Road (Grant #1) were opened.

<b>Company</b>	<b>Total</b>
H & K Group, Inc	\$39,470.00
Construction Masters Services	\$51,950.00

*Supervisor Feick made a motion to award the 2019 DGLVR Project – Spur Road (Grant #1) to H&K Group, Inc. for a cost of \$39,470, after review by the Township Solicitor. The motion was seconded by Vice Chairman Kramer and passed unanimously with Chairman Deck abstaining (2-0-1).*

***Opening of Bids for 2019 Road Project – Seal Coating Parkside Inn and Stone Roads***

The bid for the 2019 Road Project – seal coating Parkside Inn and Stone Roads were opened.

<b>Company</b>	<b>Total</b>
Martin Paving, Inc.	\$94,319.97

*Vice Chairman Kramer made a motion to award the 2019 Road Project – seal coating Parkside Inn and Stone Roads to Martin Paving, Inc. for a cost of \$94,319.97, after review by the Township Solicitor. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

***Fireworks Permit Application – Teen Challenge submitted an application for a fireworks display to take place on Saturday, July 20<sup>th</sup> (Rain date October 14, 2019)***

*Supervisor Feick made a motion to authorize the Chairman to sign the Fireworks Permit for Teen Challenge. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

**CORRESPONDENCE**

***Request from the Borough of Robesonia for Fire Police coverage for the annual fireworks display scheduled for Saturday, June 22<sup>nd</sup>***

*Vice Chairman Kramer made a motion to authorize Fire Police coverage for the annual fireworks display scheduled for Saturday, June 22<sup>nd</sup>. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

***Request from Teen Challenge Training Center, Inc. for Fire Police coverage for the annual outdoor festival scheduled for Saturday, July 20<sup>th</sup> with a rain date of October 14<sup>th</sup>***

*Supervisor Feick made a motion to authorize Fire Police coverage for the annual outdoor festival scheduled for Saturday, July 20<sup>th</sup> with a rain date of October 14<sup>th</sup>. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

**OTHER BUSINESS**

***Would the Board like to order signature stamps? A 5/8" X 2 15/16" stamp would be \$20.50 if ordered from JDM Outlet.***

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

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

Account Balances for the end of May, 2019 were as follows:

General Account	\$122,799.04
First Citizens General Holding Account	\$ 5,940.71
General Prime Account	\$257,288.09
State Aid Account	\$ 85.22
State Prime Account	\$218,382.36
Street Light Account	\$ 16,377.67
Recreation Planning Escrow Account	\$ 59,321.31

Payments of Bills for this June 12, 2019 meeting are:

General Account combined with the payroll account – Checks #19160 to #19195 in the amount of \$66,739.39
Street Light Account – Check #387 in the amount of \$1,221.55
State Liquid Fuels Account – Checks #205 to #206 in the amount of \$57,838.36
Recreation Fund – Check #105 in the amount of \$38.35
Recreation Planning Escrow – Check #103 in the amount of \$6,574.61
Camp Calvary Land Dev. Escrow –
Camp Calvary Inspection Escrow –
Village Estates Improvements Inspection Escrow –
Stormwater Inspection Escrow –
Total Expenses for this meeting – \$132,412.26

*Vice Chairman Kramer made a motion to approve the payments of the bills for this June 12, 2019 meeting. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

Sewer Accounts balances for the end of May, 2019 were as follows:

Sewer Operation Account – \$719.18
Balance in the Sewer Holding Account - \$167,040.67
Debt Service Account - \$418,844.37

Payments of Bills in the Sewer Operation Account for this June 12, 2019 meeting are:

Check #2328 to #2343 in the amount of \$85,433.50
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*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 8:38 P.M. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

Respectfully Submitted,

*Christy Flaherty*

Secretary, Tulpehocken Township