

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

The Tulpehocken Township Board of Supervisors met on March 8, 2017 in the Township meeting room at 7 P.M. In attendance and voting were Supervisors: Vice Chairman Richard Kramer and Supervisor Lester Feick. Also present were Kris Kerschner, Police Chief and Christy Flaherty, Township Secretary/Treasurer. Chairman Gary Deck was not in attendance.

Members of the audience included: Lloyd Schneck, Jake Derr, John Zimmerman, Linda Umbenhauer, Dusty Levan, Robert Sattazahn and Michelle Lynch.

**CALL TO ORDER**

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

The meeting continued with the pledge to the American Flag.

**PUBLIC COMMENTS**

Mr. Derr inquired as to what Lanita Trucking was doing on their property located off of Lancaster Avenue. Supervisors Feick advised that they were building a garage and office space. Mr. Zimmerman confirmed that what is being built was approved by the Planning Commission and Board of Supervisors.

Mr. Derr inquired if the new LED street lights were affecting the electric billing. Supervisor Feick reported that the energy usage would be less; so that should help reduce what the Township is paying. The Township did not have to pay anything for the conversion; only for the additional street lights that were added. The Recording Secretary advised that the utility companies are proposing to raise their rates; the matter is before the UCC.

Mr. Derr inquired as to when the Township would be scheduling the line painting on East Market Street. Supervisor Feick advised that the line painting would take place after the weather breaks.

**APPROVAL OF MINUTES**

*Supervisor Feick made a motion to approve the minutes from the February 8, 2017 Board of Supervisors meeting. The motion was seconded by Vice Chairman Kramer and passed unanimously (2-0).*

**ADMINISTRATIVE ACTIONS**

**Planning Commission**

***Mt. Meadows Phase 2: Time expires March 8, 2017 (time extension letter dated February 8, 2017) – Pioneer Management LLC, the applicant’s engineer, presented a time extension letter to the Township for a 182 day time extension. The Planning Commission and Board of Supervisors will need to address a time extension at the August 2017 meetings due to the new proposed expiration***

*date of September 6, 2017. John Zimmerman made a motion to recommend to the Board of Supervisors to grant the time extension request for Mountain Meadows as a 182 day time extension to September 6, 2017. Gary Deck seconded the motion. All in favor, motion carried.*

*Supervisor Feick made a motion to grant the time extension request for Mountain Meadows as a 182 day time extension to September 6, 2017. The motion was seconded by Vice Chairman Kramer and passed unanimously (2-0).*

*Camp Calvary Final Plan: Time expires March 19, 2017 (time extension letter dated February 20, 2017) – Camp Calvary presented a time extension letter to the Township for a 180 day time extension. The Planning Commission and Board of Supervisors will need to address a time extension at the August 2017 meetings due to the new proposed expiration date of September 5, 2017. Ray Daub made a motion to recommend to the Board of Supervisors to accept the time extension letter for 180 days, giving a new date of September 5, 2017. Scott Hetrick seconded the motion. All in favor, motion carried.*

*Supervisor Feick made a motion to accept the time extension letter for 180 days, giving a new date of September 5, 2017. The motion was seconded by Vice Chairman Kramer and passed unanimously (2-0).*

*Met-Ed Substation: This plan is located at 45 Wintersville Road and will consist of a Met-Ed Substation with fence and driveway. It is located in the EAP (Effective Agriculture Preservation) District. The plan has been submitted as a Sketch Plan for Record, however the Township Solicitor stated that the plan will need to be submitted as a non-residential subdivision due to the easement for this plan. The Township Solicitor will need to review the easement and agreement for this plan. The access to the property in the back needs to be better protected and issued the proper right-of-way. There is a concern that it appears that the only frontage this property has is where the easement is proposed, this could potentially impact the future development of this lot.*

*The Planning Commission reviewed whether landscaping screening is needed for this plan. They do not feel that landscaping and screening is not necessary.*

*The substation will require a separate address for Berks County 911. John Zimmerman made a motion to recommend to the Board of Supervisors to have the Township Engineer relay the following recommendations to the applicant's Engineer:*

- Move the substation out of the middle of the parcel. Move to the north or south to allow a 50 foot strip of unencumbered land for any type of future road to access the rear of this current parcel.*
- Address the general comments in the Ludgate review letter dated March 1, 2017.*

Mr. Zimmerman explained that the location proposed for the substation is a large flag lot and that the applicant was proposing to locate the substation in the middle of the lot. The Planning Commission has concerns with the proposed location and would like it moved to either side of the lot.

*Supervisor Feick made a motion to authorize the Township Engineer to relay the following recommendations to the applicant's Engineer:*

- *Move the substation out of the middle of the parcel. Move to the north or south to allow a 50 foot strip of unencumbered land for any type of future road to access the rear of this current parcel.*
- *Address the general comments in the Ludgate review letter dated March 1, 2017.*

*The motion was seconded by Vice Chairman Kramer and passed unanimously (2-0).*

## **Solicitor Legal Discussions**

### ***Medical Marijuana***

The Board discussed the memorandums received from the Township Solicitor's office regarding medical marijuana and zoning.

*Supervisor Feick made a motion to amend the Township's Zoning Ordinance to allow medical marijuana grower/processor and dispensary facilities to an existing use; limit to commercial and manufacturing zoning districts. The motion was seconded by Vice Chairman Kramer and passed unanimously (2-0).*

Mr. Zimmerman inquired on the permit review process and expressed concerns. The Board advised that according to the memorandums received from the Solicitor; a license would be issued through the state. Zoning applications would be approved through the Township.

Mr. Zimmerman suggested asking the Solicitor how other Townships are handling the matter. The Board agreed that more information would be needed before anything is finalized.

### **Escrow Release**

#### ***Tim Crouse LDP (259 Greble Road) – Escrow Release #2 – The Engineer is recommending a release of \$2,500 plus interest***

*Supervisor Feick made a motion to authorize Tim Crouse's request for the final escrow release in the amount of \$2,500 plus interest. The motion was seconded by Vice Chairman Kramer and passed unanimously (2-0).*

#### ***Mervin & Julia Martin (55 Camp Swatara Road) – Release in Full – The Engineer is recommending a full release. Mr. & Mrs. Martin submitted a Letter of Credit in the amount of \$73,641.95***

*Supervisor Feick made a motion to release the Letter of Credit for Mervin & Julia Martin. The motion was seconded by Vice Chairman Kramer and passed unanimously (2-0).*

#### ***Curvin Reiff Poultry Operation (133 Cherry Hill Road) – Escrow Release #2 – The Engineer is recommending a release of \$6,000 plus interest***

*Supervisor Feick made a motion to authorize Curvin Reiff's request for the final escrow release in the amount of \$6,000 plus interest. The motion was seconded by Vice Chairman Kramer and passed unanimously (2-0).*

## **Correspondence from Zoning Officer**

### ***February update***

The Zoning Officer addressed the Davidheiser property (574 Godfrey Street). There were still three (3) cars there – but the Board agreed to give the property owner additional time to get this situation rectified due to the tragedy they are currently enduring.

The Zoning Officer addressed the Zimmerman property (354A Godfrey Street); sheds for sale. Sheds remain – a reminder letter was just sent out. A few cars are back – I included as a reminder in my letter, but suggest additional citations be filed.

*Supervisor Feick made a motion to authorize the Zoning Officer to file citations. The motion was seconded by Vice Chairman Kramer and passed unanimously (2-0)*

The Zoning Officer addressed the Lanshe property (117 Godfrey Street); property appears to have been cleaned up a little more. Received a call from Mrs. Lanshe advising they will clean up the remaining small piles. A drive-by verified that the pile up against the neighbor's house was removed. Zoning Officer will follow-up.

The Zoning Officer addressed the Levan property (200 Deck Road); received a telephone call complaining about rubbish and weeds by the roadside. Mrs. Levan called advising that the junk and brush located at the bottom of the driveway would be clean up. A site visit concluded that the brush/weeds were cut and that the rubbish was mostly gone. Zoning Officer will follow-up. Mrs. Levan was present at tonight's meeting and advised that she is working to clean up the property and is currently in a law suit with her neighbor.

### ***Recommendation to revise the sign section of the Zoning Ordinance (Section 1041.02 Maximum Permitted Sizes – Table)***

*Supervisor Feick made a motion to authorize the Zoning Officer and Solicitor to work together to update Section 1041.02 of the Zoning Ordinance for the Boards' review. The motion was seconded by Vice Chairman Kramer and passed unanimously (2-0).*

Supervisor Feick updated the Board with regards to discussions with the Zoning Officer and Mr. Mays regarding the Mt. Aetna Fire Company erecting a sign on Township property.

Mr. Derr suggested that the size and height of the sign be taken into consideration. He also inquired if the sign would be permitted to be used by multiple parties. The Board agreed to ask the Zoning Officer if multiple sign users would be allowed.

*Supervisor Feick made a motion to allow the Mt. Aetna Fire Company to utilize Township property to erect a sign once a permit is submitted and approved. The motion was seconded by Vice Chairman Kramer and passed unanimously (2-0).*

## Land Development

None.

## STAFF REPORTS

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

ACTIVITY	TULPEHOCKEN TWP	MARION TWP
MILES PATROLLED	3755	817
GALLONS OF FUEL	300.9	0
HOURS WORKED	422	60
PATROL HOURS	355	50
TULPEHOCKEN AREA SCHOOL DIST. HOURS	22.25	0
TOTAL INCIDENTS	3	2
TOTAL COMPLAINTS	18	7
MISCELLANEOUS CALLS FOR SERVICE	29	8
FOLLOW-UP INVEST	1	1
TELEPHONE ASSIGNMENTS	18	7
COMM/RESIDENTIAL ALARMS	1	2
EMS/FIRE ADVISORIES	16	12
TRAFFIC STOPS	11	3
CITATIONS ISSUED	12	4
NON-TRAFFIC CITATIONS	0	0
TRAFFIC WARNINGS	0	0
WARRANTS	0	0
PARKING TICKETS	0	0
TRAFFIC ACCIDENTS	8	2
DUI ARRESTS	0	0
MISDEMEANOR/FELONY	0	4
SECURITY CHECKS	56	14
POLICE ASSISTS	12	0
MOTORISTS ASSISTS	0	0
COURT APPEARANCES	0	6
SCHOOL HOURS	16	0

Chief Kerschner reported that during the month of February there were 143 calls received through Berks County 911 for police services.

### *Sale of two (2) handguns*

Chief Kerschner reported that two (2) of the old handguns have been sold for \$300 each for a total of \$600 and that one (1) handgun was kept as a spare.

***Need to determine who will be doing the routine maintenance on the police vehicles due to Dale Swope retiring***

Chief Kerschner suggested using Matt Blatt to handle the routine maintenance of the police vehicles. The Board agreed with Chief Kerschner's suggestion.

***Road Master's Report*** – Supervisor Feick read the February, 2017 report. The work consisted of sewer inspection, meet with DEP regarding sewer issues, read meters, pump station checks, sewer maintenance, equipment maintenance, work in shop, checking sewer samplers, meet with Township Engineer, work on grant applications, telephone calls, put plows on trucks, mix salt/anti-skid, load trucks for storm, snow event, close Rehrersburg Road, meet contractor for dumpster drop off, load dumpster with contaminated soil, remove and clean up trees/branches, sign maintenance, meet with contractor for dumpster pickup, post Zoning Hearing notices, paperwork, pick up parts/supplies, mix anti-skid, construction meeting with Lanita Trucking, Met with Met-Ed, shoulder patching, meeting at Soil Conservation office re: grant applications; cut down tree in Mt. Aetna, emergency call – Market Street pump station, check on complaint regarding Deck Road and meeting with Mr. Batdorf on lending project.

Supervisor Feick advised that he will be having salt delivered on March 9<sup>th</sup>.

***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.

**UNFINISHED BUSINESS**

***Discuss identification sign for Rehrersburg***

Mrs. Flaherty advised that she did receive a quote from PA Correctional Industries; depending on the size the prices ranged from \$150 to \$276. The price is for the sign only; post and any hardware would need to be purchased from another party. PA Correctional Industries would not install the sign. The turnaround time to have the sign completed would be approximately three (3) weeks once the order was finalized.

The Board discussed the quote. A suggestion was made to look into other signs in the area that PCI have constructed to see how they're wearing. The Board also discussed the quote received from Brown signs and suggested that Mrs. Flaherty verify what type of materials each company would be using. Mrs. Flaherty advised that she would update further at the April meeting.

***Update regarding Swatara Salem Road Bridge – County Commissioners are working on***

Vice Chairman Kramer advised that the matter is now in the hands of the County Commissioners and that Commissioner Barnhardt has been in touch with Tulpehocken and Bethel Townships.

## **NEW BUSINESS**

***Health Insurance Renewal – Capital Blue Cross Health Care renewal – the rate has increased approximately 4.65%***

Mrs. Flaherty advised the Board that Township needs to make a decision as to which plan they are going with prior to May 1, 2017.

The Board agreed to address the matter further at their April meeting.

***Zoning Hearing Board Application – Glenn Auker (82 Deck Road) - Zoning Hearing scheduled for Monday, March 6, 2017***

Vice Chairman Kramer reported that the hearing has already occurred on Monday, March 6, 2017.

## **CORRESPONDENCE**

***Albright College, Center for Excellence in Local Government is asking for a contribution; the Township contributed \$250.00 in 2016, 2015 & 2013, could not find documentation of a contribution in 2014***

*Supervisor Feick made a motion to authorize a contribution in the amount of \$250 to Albright College. The motion was seconded by Vice Chairman Kramer and passed unanimously (2-0).*

## **OTHER BUSINESS**

***11<sup>th</sup> Annual Berks Municipal Officials Dinner – Thursday, March 30, 2017***

The Board discussed the 11<sup>th</sup> Annual Berks Municipal Officials Dinner scheduled for Thursday, March 31, 2017; it was agreed that Vice Chairman Kramer, Supervisor Feick and Mrs. Flaherty would be attending the dinner.

***Recreation Board would like to have a meeting on March 16<sup>th</sup> at 7 P.M. - Motion to authorize the advertisement of the meeting – Also, correspondence has been received from Bethel and Marion Townships advising that they would be interested in working with the Tulpehocken Township to develop a regional/municipal Open Space Plan***

Mr. Zimmerman presented the Board correspondence on behalf of the Recreation Board; he also reported that Jefferson Township would be discussing the matter of working with Tulpehocken Township to develop a regional/municipal Open Space Plan at their meeting scheduled for March 11, 2017.

The Board discussed the request from the Recreation Board to hold a meeting on March 16, 2017 at 7 P.M.

*Supervisor Feick made a motion to authorize the advertisement of a meeting on March 16, 2017 at 7 P.M. for the Recreation Board. The motion was seconded by Vice Chairman Kramer and passed unanimously (2-0).*

***Township property located off of Lions Park Drive (land donated by Larry Dean Martin) needs an Earth & Sediment (E&S) Permit – motion to authorize Ludgate Engineering to prepare and E&S Plan and to pay any fees associated with review from the Berks County Conservation District***

*Supervisor Feick made a motion to authorize the Township Engineer to prepare an Earth & Sediment plan and to pay any fees associated with review from the Berks County Conservation District. The motion was seconded by Vice Chairman Kramer and passed unanimously (2-0).*

***The Right to Know Officer is requesting the Board’s approval to attend a free training seminar on the Sunshine Act and the Right to Know Law***

*Supervisor Feick made a motion to allow Mrs. Flaherty to attend a free training seminar on the Sunshine Act and Right to Know Law. The motion was seconded by Vice Chairman Kramer and passed unanimously (2-0).*

***Request to replace Managers chairs in the meeting room***

Mrs. Flaherty updated the Board; she provided the Board with a photo/spec sheet for the chair being proposed as a replacement. The cost of the proposed chair is \$99 per chair.

Mr. Zimmerman advised that a member of the Planning Commission may have office chairs available for purchase.

*Supervisor Feick made a motion to authorize the purchase of Managers Chairs through Staples for a cost of \$99 per chair. The motion was seconded by Vice Chairman Kramer and passed unanimously (2-0).*

Mrs. Flaherty inquired as to what the Board would like to do with the old chairs and suggested donating them; noting the condition of the chairs. Chief Kerschner offered to drop them off at a local Salvation Army/Goodwill.

***Motion to adopt and authorize the Vice Chairman to sign the Township’s Official Zoning Map – the new map shows the updated subdivisions***

*Supervisor Feick made a motion to adopt and authorize the Vice Chairman to sign the Township’s Official Zoning Map. The motion was seconded by Vice Chairman Kramer and passed unanimously (2-0).*

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

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

General Account	\$121,302.18
First Citizens General Holding Account	\$ 2,331.92
General Plus Account	\$179,575.60
State Aid Account	\$ 102.39
State Plus Account	\$ 73,159.01
Street Light Account	\$ 8,982.57



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

General Account combined with the payroll account – Checks #17308 to #17343 in the amount of \$62,620.96  
Street Light Account – Check #361 in the amount of \$1,256.90  
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 – \$63,877.86

*Supervisor Feick made a motion to approve the payments of the bills for this March 8, 2017 meeting. The motion was seconded by Vice Chairman Kramer and passed unanimously (2-0).*

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

Sewer Operation Account – \$2,923.34  
Balance in the Sewer Holding Account - \$78,631.52  
Debt Service Account - \$404,888.34

Payments of Bills in the Sewer Operation Account for this March 8, 2017 meeting are:  
Check #1896 to #1914 in the amount of \$13,738.69

*Supervisor Feick made a motion to approve payment of the sewer bills. The motion was seconded by Vice Chairman Kramer and passed unanimously (2-0).*

## **ADJOURNMENT OF MEETING**

*Supervisor Feick made a motion to adjourn the meeting at 8:19 P.M. The motion was seconded by Vice Chairman Kramer and passed unanimously (2-0).*

Respectfully Submitted,

*Christy Flaherty*

Secretary, Tulpehocken Township