

**Tulpehocken Township  
Board of Supervisors  
Meeting of May 10, 2017**

The Tulpehocken Township Board of Supervisors met on May 10, 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 and Christy Flaherty, Township Secretary/Treasurer.

Members of the audience included: Harold Zimmerman, Dennis Royer, George Field, Dusty Levan, Linda Umbenhauer and Robert Sattazahn.

**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**

Mr. Field commented with regards to the school bus stops in Rehrersburg and suggested that the Township look into installing yield signs and crosswalks; noting that he is not just concerned with his grandson, but all of the children. The Board advised that PennDOT approval would be needed due to Godfrey Street being a state road. Chief Kerschner reported on his patrol of the area and on discussions he has had with the School District's Transportation Department.

Mrs. Umbenhauer inquired if the Township knows of somewhere that she can dispose of the small stones she collects when sweeping her driveway. Supervisor Feick advised that there is an area behind the Township building that she can dump the stones.

Mr. Field inquired as to how many more chicken houses the Township will allow to be built. The Board advised that as long as they meet the Township's zoning, the Township can't really control due to PA laws; noting that the houses help with the tax structure. Residents were recommended to contact their local state representatives. Mr. Field commented that the chicken houses are not helping his property value.

**APPROVAL OF MINUTES**

*Vice Chairman Kramer made a motion to approve the minutes from the April 12, 2017 Board of Supervisors meeting. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

**ADMINISTRATIVE ACTIONS**

**Planning Commission**

***Met-Ed Rehrersburg Substation: Request for 90 day time extension.***

*Supervisor Feick made a motion to approve the request for a ninety (90) day time extension for the Met-Ed Rehrersburg Substation. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

### **Solicitor Legal Discussions**

#### ***Motion to adopt Ordinance 2017-1, Snow and Ice Removal from Sidewalks***

The Board discussed the ordinance; noting that properties in town that have a sidewalk would have twenty-four (24) hours once the cessation of any fall of snow, hail, sleet, freezing rain and/or frozen precipitation.

*Supervisor Feick made a motion to adopt **Ordinance 2017-1, Snow and ice removal from Sidewalks.** The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

### **Escrow Release**

***Laverne Frey LDP (5193 Route 419) – Partial Release – the Engineer is recommending a release of \$107,332.70. Mr. Frey submitted a Letter of Credit in the amount of \$108,332.70. The Engineer recommends holding \$1,000, in an escrow account. Mr. Frey has brought in a check for \$1,000.***

*Supervisor Feick made a motion to release Mr. Frey’s Letter of Credit. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

***David Alspaugh – Clement Lane – Partial Release – the Engineer is recommending releasing Mr. Alspaugh’s Letter of Credit. Mr. Alspaugh submitted a LOC in the amount of \$11,935.62. The Engineer is recommending holding \$1,000 and has advised Mr. Alspaugh to bring in a check for that amount, so that the LOC can be released.***

*Supervisor Feick made a motion to release Mr. Alspaugh’s Letter of Credit once the Township receives the check for \$1,000. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

### **Correspondence from Zoning Officer**

#### ***April update***

The Zoning Officer addressed the Zimmerman property (354A Godfrey Street); the cars have been removed. However, some tires and minor debris remain. Regarding the sheds on the property; the ordinance does not require a permit for a shed that is 100 sq. ft. or less. Not sure how to determine the sq. ft. of the sheds to determine if a permit is needed. A NOV had been sent previously, so if these sheds are determined to be greater than 100 sq. ft.; a civil citation could be filed.

The Zoning Officer addressed the Musser property (26 Maria Street); a NOV was sent for debris.

The Zoning Officer addressed the Davidheiser property (574 Godfrey Street); some cars still remain. Does the Township have record of the lot being sold? If not, ZO recommends filing a citation. Mrs. Flaherty reported that the Township has not received anything from the County with regards to the property being sold.

*Supervisor Feick made a motion to authorize the Zoning Officer to file the citation. The motion was seconded by Chairman Deck and passed unanimously with Vice Chairman Kramer abstaining (2-0-1).*

The Zoning Officer addressed the Martins property (174 Greble Road); NOV sent – notice added that the Township can clean up and lien the property if it's not cleaned up.

The Zoning Officer addressed the Baez property (564 Godfrey Street); NOV sent. Property owner called and advised that he would begin cleaning up the site and removing the vehicles. ZO will follow up.

The Zoning Officer addressed the Levan property (200 Deck Road); rubbish/cars – NOV sent. Property owner called and advised that she will begin cleaning up the site. Mrs. Levan was at the meeting and reported that she is working on cleaning up the site; she explained her situation and felt that she could have the property cleaned up within thirty (30) days.

*Chairman Deck made a motion to allow the Levan's (200 Deck Road) thirty (30) days to comply. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

The Zoning Officer addressed the Kennelly (15 West Market Street); weeds/grass – NOV sent, notifying all interested parties that no additional notices will be sent. If the matter is not addressed the Township will mow and lien the property. Mrs. Flaherty advised that she has also called the bank that holds the mortgage on the property; noting that the gentleman she spoke with will look into having the bank mow the site.

The Zoning Officer addressed the Donkel property (7654 Lancaster Avenue); weeds – nice guy letter sent.

The Zoning Officer addressed the Donkel property (5 Magdalena Street); weeds – nice guy letter sent.

The Zoning Officer addressed the Berrios property (591 Godfrey Street); weeds/grass- nice guy letter sent.

The Zoning Officer addressed the Dunn property (29 New Schaefferstown Road); weeds/grass – nice guy letter sent.

## **Land Development**

*None.*

## **STAFF REPORTS**

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

| ACTIVITY                            | TULPEHOCKEN<br>TWP | MARION<br>TWP |
|-------------------------------------|--------------------|---------------|
| MILES PATROLLED                     | 3290               | 847           |
| GALLONS OF FUEL                     | 296.5              | 0             |
| HOURS WORKED                        | 518                | 60            |
| PATROL HOURS                        | 357.5              | 52            |
| TULPEHOCKEN AREA SCHOOL DIST. HOURS | 26                 | 0             |
| TOTAL INCIDENTS                     | 4                  | 4             |
| TOTAL COMPLAINTS                    | 13                 | 6             |
| MISCELLANEOUS CALLS FOR SERVICE     | 29                 | 4             |
| FOLLOW-UP INVEST                    | 1                  | 1             |
| TELEPHONE ASSIGNMENTS               | 22                 | 20            |
| COMM/RESIDENTIAL ALARMS             | 4                  | 3             |
| EMS/FIRE ADVISORIES                 | 14                 | 4             |
| TRAFFIC STOPS                       | 24                 | 4             |
| CITATIONS ISSUED                    | 24                 | 4             |
| NON-TRAFFIC CITATIONS               | 1                  | 0             |
| TRAFFIC WARNINGS                    | 1                  | 0             |
| WARRANTS                            | 0                  | 0             |
| PARKING TICKETS                     | 0                  | 0             |
| TRAFFIC ACCIDENTS                   | 1                  | 2             |
| DUI ARRESTS                         | 0                  | 0             |
| MISDEMEANOR/FELONY                  | 0                  | 0             |
| SECURITY CHECKS                     | 87                 | 27            |
| POLICE ASSISTS                      | 16                 | 0             |
| MOTORISTS ASSISTS                   | 3                  | 0             |
| COURT APPEARANCES                   | 1                  | 1             |
| SCHOOL HOURS                        | 0                  | 0             |

Chief Kerschner reported that during the month of April there were 155 calls received through Berks County 911 for police services. Chairman Deck inquired on the number of calls received. Chief Kerschner advised that number is shared between Tulpehocken and Marion Townships and the high school; he noted that with regards to Marion Township and the high school they are not being provided anymore coverage than they're paying for. Marion Township is billed for sixty (60) hours per month. Tulpehocken Area School District pays for an average of six (6) hours per week: noting that if the coverage exceeds the six (6) hours, they are billed for an additional time.

Chief Kerschner advised that the officers First Aid & CPR training is due this year; he will schedule for later in the year.

**Road Master's Report** – Supervisor Feick read the April, 2017 report. The work consisted of sewer maintenance, meter reading, check on sewer leak, telephone calls, equipment maintenance/repairs, clean pump stations, repair sewer leak and discussion with home owner, televising sewer lines in Mt. Aetna, look for sewer leaks, meet with Zinn Insurance, work at shop, conference call with DEP, close roads due to flooding, check man holes for leaks, check sewer equipment, collect road closed signs & cones, check lateral in Mt. Aetna, check roadways for debris from rain storm, attend Berks County Public Works meeting, street sweeping, meet with Bobby Moyer re: discuss status of cutting the bank

back, meet with DEP, mow lawns, check on tires, check out road complaint, road projects, sewer call out, attend convention, sign maintenance, meet with Township Engineer re: Host Road, work on water issue on Mill Road, and repair pipe on Mill Road.

The Board discussed the bank cutting proposed for Mr. Moyer's property off of Host Church Road. Supervisor Feick noted that the work would be done by the King brothers, but the Township would provide their services/dump trucks for relocating the debris.

***DGLVR Grant approved – need to decide which project to do either Four Points Road or Witman Road – The Engineer recommends doing the general permits for both roads now – Need a motion authorizing the Engineer to begin the general permit application process for both projects***

Supervisor Feick suggested that the Township do the Four Points Road project this year; noting that the Witman Road project could be granted in the second half of the year.

*Vice Chairman Kramer made a motion to proceed with doing the Four Points Road project approved by the DGLVR grant this year. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

*Vice Chairman Kramer made a motion authorizing the Township Engineer to begin the general permit application process for both the Four Points Road and Witman Road projects. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

### ***2017 Road Project***

Supervisor Feick reported that with regards to the 2017 Road Project he is proposing the Township seal coat the following roads:

Deck Road from Rt. 419 to Wintersville Road (2.7 miles)

Ketterman Hill Road from Deck Road (3,070 feet)

Temple Road (.74 miles)

A motion is needed to authorize advertising for bids. Supervisor Feick advised that he would not be here for the June meeting. The Board discussed the project and agreed that the project end date should be August 31<sup>st</sup> and that the bids should be opened at the June 14<sup>th</sup> meeting.

*Supervisor Feick made a motion to advertise for bids for the proposed seal coating of Deck, Ketterman Hill and Temple Roads. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

Supervisor Feick advised that he has contacted A-1 to get on the schedule for line painting this year; A-1 will come out twice.

Supervisor Feick noted that the loader needs two (2) wheels; the wheels are approximately \$1,000/each.

*Chairman Deck made a motion to authorize the purchase of two (2) wheels for the loader at approximately \$1,000/each. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

The Board discussed various equipment seen at this year's PSATS Convention. Supervisor Feick advised on prices received for a CAT loader approximately \$225,000 and a John Deere 544 loader for approximately \$150,000. He reported that he would like to purchase a new John Deere 5100E tractor with an industrial mower and broom attachment for an approximate cost of \$112,835.80; he commented on the funds budgeted for this purchase. The Board discussed keeping or selling the current tractor. Supervisor Feick advised that he favors keeping the current tractor. The Board discussed purchasing the new tractor through a two (2) year plan. Supervisor Feick noted that warning/safety lights are not included in the pricing.

*Supervisor Feick made a motion to authorize the purchase of a John Deere 5100E tractor with an industrial mower and broom attachment for approximately \$112,835.80 through a two (2) year plan. 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.

Supervisor Feick commented with regards to the proposed changes to the sign ordinance and the sign being proposed by the Mt. Aetna Fire Company; he suggested having the Solicitor draw up the agreement.

*Supervisor Feick made a motion to authorize the Township Solicitor to draw up an agreement for the proposed sign between the Township and the Mt. Aetna Fire Company. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

## **SEWER OPERATIONS**

### ***Judgements and Delinquent Sewer Accounts***

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

### ***Sewer Secretary's request to send correspondence to 584 Godfrey Street re: possible rental unit***

The Board reviewed the correspondence and agreed it should be sent.

*Chairman Deck made a motion for the Sewer Secretary to send correspondence to the property owner of 584 Godfrey Street. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

### ***Update regarding sewer issues and lines being televised***

Supervisor Feick updated the Board on the sewer lines in Mt. Aetna and Rehrersburg. With regards to Mt. Aetna; no breaks have been found in the lines, however there was grease. The lines have been cleaned out. With regards to Rehrersburg; the lines were televised today. The pipes in town look good, very little grease; the pipes are sagging slightly in some areas. Feels there is some type of issue with the line running to the Teen Challenge Pump Station; the line could only be televised 50 feet. Have scheduled to have the line jet vacuumed; will televise later this month. The Board discussed the issues regarding the Lancaster Avenue Pump Station and getting EDU's released. Chairman Deck feels that the Township needs to get their attorney involved. Supervisor Feick feels

that the pipe is too small; he suggested increasing to a 4 inch pipe. He reported on the test being conducted; noting that only two (2) cleanouts have been found in the force main. He also reported on discussions with Representative Jozwiak regarding the matter. He advised that he has another contact at DEP that he would like to discuss the matter with.

***Review grease trap memorandum drafted by Solicitor***

The Board discussed the memorandum. Supervisor Feick reported on the inspections he has done for various businesses/organizations. The Board discussed performing weekly inspections. It was agreed that further discussion is needed with the Solicitor regarding the Township's options. It was also discussed the possibility of mandating grease storage tanks.

**UNFINISHED BUSINESS**

***Update regarding Swatara Salem Road Bridge***

The Board advised that they have not heard anything more from the County. Mr. Sattazahn inquired with regards to the proposed weight limit and reported on his concerns with tractors being too heavy and not being able to use the road. The Board reported that their concern was regarding the bridge walls being damaged; noting that the weight restriction would be on the roadway not the bridge. With regards to enforcement, the officers in the local police departments would need to be certified in weights and measures by the Department of Ag.

**NEW BUSINESS**

***Update regarding street address in the Township and discussions with Emergency Services***

Mrs. Flaherty updated the Board with regards to the meeting with Emergency Services regarding street addresses in the Township; noting that there are several areas within the Township where addresses are misnumbered/out of order. The Board agreed to allow Mrs. Flaherty to work with Emergency Services to correct the issues.

*Supervisor Feick authorized Mrs. Flaherty to work with Emergency Services to correct the street addressing issues within the Township. The motion was seconded by Chairman Deck and passed unanimously (3-0).*

**CORRESPONDENCE**

*None.*

**OTHER BUSINESS**

***Amend the motion made at the April meeting establishing the Zoning Hearing Board hearing date as the third Monday of the month; the new date will be the third Tuesday of the month***

Mrs. Flaherty refreshed the Board with regards to the motion made at the April meeting; noting that due to scheduling conflicts the meeting date will now be the third Tuesday of the month.

*Chairman Deck made a motion to amend the motion made at the April meeting; noting that the new meeting date will be the third Tuesday of the month and that the deadline to submit the application would be approximately three (3) weeks prior to the hearing date. The motion was seconded by Supervisor Feick and passed unanimously (3-0).*

### **County Recycling Program**

Mrs. Flaherty updated the Board with regards to the County Recycling Program ending; noting that in 2018 the County would no longer be offering the program. She reported that Upper Tulpehocken will be establishing their own program with the County's help; noting that the service will be available to both residents of UTT and non-residents for a fee. Options for the Township would be to fund their own recycling program or to support UTT. The Board agreed that they were okay with the County ending the program and agreed to support UTT. It was agreed that once more information is received from UTT; it would be posted in various locations throughout the Township.

Chairman Deck updated the Board on discussions with John Zimmerman regarding the Township owned lot off of Lions Park Drive. The Board discussed the property and agreed that nothing should happen with the lot until the Recreation Board has a plan approved by the Supervisors. It was agreed that Chairman Deck would update Mr. Zimmerman on the Board's decision.

*Supervisor Feick made a motion not to do anything with regards to the Township owned lot off of Lions Park Drive until the Recreation Board has a plan approved by the Supervisors. The motion was seconded by Chairman Deck and passed unanimously (3-0).*

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

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

|  |              |
|--|--------------|
| General Account                        | \$ 62,685.84 |
| First Citizens General Holding Account | \$ 4,933.95  |
| General Plus Account                   | \$199,834.86 |
| State Aid Account                      | \$ 120.64    |
| State Plus Account                     | \$274,345.45 |
| Street Light Account                   | \$ 9,434.65  |

Payments of Bills for this May 10, 2017 meeting are:

General Account combined with the payroll account – Checks #17389 to #17417 in the amount of \$34,587.74  
Street Light Account – Check #363 in the amount of \$1,284.71  
State Liquid Fuels Account –  
Recreation Fund – Check #101 in the amount of 630.00  
Camp Calvary Land Dev. Escrow –  
Camp Calvary Inspection Escrow –  
Village Estates Improvements Inspection Escrow –  
Stormwater Inspection Escrow –  
Total Expenses for this meeting – \$67,408.43



*Supervisor Feick made a motion to approve the payments of the bills for this May 10, 2017 meeting. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

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

Sewer Operation Account – \$1,037.02  
Balance in the Sewer Holding Account - \$108,372.53  
Debt Service Account - \$405,472.90

Payments of Bills in the Sewer Operation Account for this May 10, 2017 meeting are:  
Check #1932 to #1950 in the amount of \$20,720.80

*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 9:28 P.M. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).*

Respectfully Submitted,

*Christy Flaherty*

Secretary, Tulpehocken Township