

**Tulpehocken Township
Board of Supervisors
Meeting of November 10, 2020**

The Tulpehocken Township Board of Supervisors met on November 10, 2020 in the Township meeting room at 7:00 P.M. In attendance and voting were Supervisors: Vice Chairman Richard Kramer and Lester Feick, Supervisor; Chairman Deck participated via telephone. Also present were Bryan Dronick, Police Officer and Christy Flaherty, Township Secretary/Treasurer.

Members of the audience included: Harold Zimmerman and Dennis Royer.

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

None.

APPROVAL OF MINUTES

Supervisor Feick made a motion to approve the minutes from the October 14, 2020 Board of Supervisors meeting. The motion was seconded by Vice Chairman Deck and passed unanimously (3-0).

ADMINISTRATIVE ACTIONS

Planning Commission

Cherry Hill Mennonite School applied for a special exception variance from Section 643.01 of the Zoning Ordinance. This is proposed to be located on part of Larry Dean Martin's property along Teen Challenge Road and would be south of the Lions Club in Rehrersburg. It is located in the Rural Residential zoning district. The Township Engineer stated that the radius on Lions Park Drive may need to be widen coming off Teen Challenge Road. Connecting to the public sewer system will need to be discussed and reviewed on the best options. Laverne Frey stated that it may be a good idea to have a right turning lane and expand the shoulder to make a deceleration lane. And if there is going to be a single entrance, it should be wide enough for two vehicles to pass if needed. The Zoning Hearing Board can add additional conditions if they chose. The Township Solicitor stated Section 643.01- Public or private school approved by the Pennsylvania Department of Education. And the following uses are permissible subject to Zoning Hearing Board approval pursuant to Sections 1060- Requirements for special use and 1150-Special exception uses. For the school to get approval, they need to show that they are a public or private school approved by the Pennsylvania Department of Education and they have to show that they are not going to have any adverse impact on the community. Commercial buildings with a well have need to obtain a DEP permit. This is a new requirement and will be part of the Township Engineers review of the land development plan in the future.

Robert Sattazahn made a motion to instruct the Township Engineer to prepare a letter to the Zoning Hearing Board addressing street and signage recommended by the Planning Commission. Seconded by John Zimmerman and approved unanimously.

The Board discussed the Planning Commission's recommendations.

Chairman Deck commented on the structure located on the Lions Club property being close to the roadway.

Mr. Royer stated that people are opposed to traffic using the alley for an entrance and exit; he feels that the entrance/exit should be off of Teen Challenge Road.

Chairman Deck advised on discussions that took place at the October Planning Commission meeting; noting that at that time the thought was for traffic to enter the facility from Teen Challenge Road and exit on to Lions Park Drive.

Mr. Royer suggested having school zone lights erected on Godfrey Street funded by the developer. He feels that the alleys are not made for traffic.

The Board discussed having a lane running out to Cherry Hill Road to enter/exit the site, the width of Teen Challenge Road and Lions Park Drive and the number of students and staff.

The Board noted there are concerns with regards to traffic pulling out from Teen Challenge Road on to Godfrey Street. The Board agreed that they will wait to see the plan submitted; stating they just want to be safe.

Foreign owned land – The Township Solicitor has provided a draft resolution declaring support for greater enforcement of existing state and federal statutes concerning foreign ownership of agricultural land. Based on the research performed, the Township Solicitor believes that there is a law in place in Pennsylvania, however it is not being enforced adequately. The state is not creating a record of foreign ownership of land to the extent that they are able to enforce the prohibition against aliens owning over one hundred (100) acres. The Township Solicitor's recommendation is to try and urge the people already responsible for administering this law do a better job at the state level. At the federal level no information was found. It would be appropriate to urge our national representatives to put some law in place to control foreign ownership of agricultural lands. This is to try and get our state officials to do a better job enforcing Pennsylvania law and to encourage our federal representatives to seek some federal legislation which would limit foreign ownership of agricultural land. And then if the Township Board of Supervisors would adopt this Resolution, copies of this would be sent to the Pennsylvania Secretary of Agriculture who is responsible for the administration of the current law and to the state and federal legislators who represent Tulpehocken Township. If there would be no response from the representatives, then in three (3) months the Township would send a follow up correspondence. Robert Sattazahn suggested that the Resolution be sent to the Berks County Farm Bureau and Berks County Grange. The Township Solicitor will revise the Resolution and add the Berks County Farm Bureau and Berks County Grange to receive copies of the Resolution as well.

John Zimmerman made a motion to recommend to the Board of Supervisors to adopt the Resolution concerning foreign ownership of agricultural land and forward correspondence to the Pennsylvania Secretary of Agriculture, to state and federal legislators who represent Tulpehocken Township, Berks County Grange and Berks County Farm Bureau. Seconded by Robert Sattazahn and approved unanimously.

Chairman Deck made a motion to adopt Resolution 2020-10; declaring support for greater enforcement of existing state and federal statutes concerning foreign ownership of agricultural land. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Recreation Board – October minutes and recommendations

Mr. Jeff Zimmerman made a motion to recommend to the Planning Commission and Board of Supervisors that they use Bethel’s “Fee in Lieu” calculation described in Chapter 3, page 21 of the plan for a fifty (50) unit or under subdivision, a single residential lot would be a one time \$1,000 fee and for a subdivision of fifty-one (51) units or more would pay a fee based on recommendations from the Township Solicitor and Engineer. The motion was seconded by Chairman Klopp and passed unanimously (3-0).

The Supervisors discussed the recommendation and agreed to table taking any action, they would prefer the Planning Commission discuss fee calculations further.

Chairman Klopp made a motion to recommend to the Planning Commission and Board of Supervisors to have Mt. Meadows install recreational facilities in Phase 2 such as a pocket park or walking trail and to pay a Recreation Impact Fee (“Fee in Lieu”). The motion was seconded by Mr. John Zimmerman and passed unanimously (3-0).

The Supervisors discussed the recommendation and agreed that the developer should either install recreational facilities or pay a fee; noting that it should be one or the other, not both.

Chairman Klopp made a motion to recommend that the Board of Supervisors reconsider leasing the Rehdersburg Lions Club grounds which would include the tennis courts, playground and open field; it would not include the meeting house or pavilion. Chairman Klopp would be the contact person for the Lions Club; he noted that the Lions Club is not interested in sharing their financials and they are not going anywhere. The motion was seconded by Mr. John Zimmerman and passed unanimously (3-0).

The Supervisors discussed the grounds with regards to mowing and playground equipment.

Solicitor Legal Discussions

None.

Escrow Release

TW Construction (31 Witman Road) – The Township Engineer is recommending the final release of their LOC

Supervisor Feick made a motion to authorize the final release of TW Construction’s Letter of Credit. The motion was seconded by Chairman Deck and passed unanimously (3-0).

Correspondence from Zoning Officer

October Update – No update provided

Land Development

None.

STAFF REPORTS

Police Report – Officer Dronick read the October, 2020 Police report as follows:

ACTIVITY	TULPEHOCKEN TWP	MARION TWP
MILES PATROLLED	2071	624
GALLONS OF FUEL	185.58	0
HOURS WORKED	263	60
PATROL HOURS	245	39.25
TULPEHOCKEN AREA SCHOOL DIST. HOURS	25	0
TOTAL INCIDENTS	2	3
TOTAL COMPLAINTS	6	8
MISCELLANEOUS CALLS FOR SERVICE	51	4
FOLLOW-UP INVEST	0	0
TELEPHONE ASSIGNMENTS	16	6
COMM/RESIDENTIAL ALARMS	0	0
EMS/FIRE ADVISORIES	18	6
TRAFFIC STOPS	6	0
CITATIONS ISSUED	10	1
NON-TRAFFIC CITATIONS	2	0
TRAFFIC WARNINGS	0	0
WARRANTS	0	0
PARKING TICKETS	0	0
TRAFFIC ACCIDENTS	7	2
DUI ARRESTS	0	0
MISDEMEANOR/FELONY	2	1
SECURITY CHECKS	45	22
POLICE ASSISTS	12	0
MOTORISTS ASSISTS	0	0
COURT APPEARANCES	0	3
SCHOOL HOURS	0	0

Officer Dronick reported that during the month of October there were 102 calls received through Berks County 911.

The Board inquired with regards to Teen Challenge. Officer Dronick reported he had no update.

Office Dronick advised that the body cameras have been in use since Wednesday, November 4th and are working well.

Road Master’s Report – Supervisor Feick read the October, 2020 report. The work consisted of sewer maintenance/repairs, meter reading, met w/Township Engineer, sewer call outs, highway mowing, hauling stone, telephone calls, working on street lights in Mt. Meadows, work on Spur Road Project, clean up down tree, haul top soil, meet w/pump salesman, paperwork, p/u paint machine, p/u parts/supplies, equipment repairs/maintenance, moving equipment, road maintenance, crack sealing (Woleber & Greble Roads), go for barricades, drop trucks off at shop for maintenance, work on School Road, stock pile stone, sewer inspections, attending T ASD meeting, present for Miller’s to sign easement, work in shop, p/u trucks, sign maintenance/repairs and place cones at a broken electric pole.

Spur Road Project Update – Still waiting for the Berks County Conservation District to approve the extension request. The Miller’s have signed the easement.

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.

UNFINISHED BUSINESS

Update regarding the street lights in Mt. Meadows – The Township Solicitor is in the process of preparing resolution/agreements/easement

Chairman Deck made a motion to set the Street Light Tax at \$0.75/road front footage for the parcels in Phase I of the Mt. Meadows development. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Update with regards to outsourcing payroll – hoping that direct deposit will begin with the second payroll in November

Mrs. Flaherty reported that she would like to meet with the representative from Sonrise PayMaster\$ prior to them processing the payroll. She also reported that there are still a few seasonal employees that have not returned their paperwork.

NEW BUSINESS

Reorganization 2021 – Reorganization meeting is Monday, January 4, 2021. We need to set the time and advertise the meeting. Last year the meeting was at 6 P.M.

Chairman Deck made a motion to advertise the 2021 Reorganization meeting for Monday, January 4, 2021 at 6 P.M. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

2021 Meeting Dates – Motion to advertise meeting dates

The Board reviewed the 2021 meeting dates and agreed there were no issues.

Supervisor Feick made a motion to advertise the 2021 meeting dates. The motion was seconded by Chairman Deck and passed unanimously (3-0).

CORRESPONDENCE

None.

OTHER BUSINESS

Appointment of CPA Auditor – Would like to advertise no later than December 2, 2020 for the appointment of the Township CPA Auditor and their applicable fees for the Fiscal Year 2020 Annual Audit. The Fee for RKL to perform the audit is \$11,800

Supervisor Feick made a motion to authorize advertisement of the Resolution to appoint RKL as the CPA auditor. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Need a motion to ratify the readdressing of the following properties:

- ***PIN #86441100853496 as 75 Gravel Pit Road (formally 5 Gravel Pit Road)***
- ***PIN #86441100853666 as 79 Gravel Pit Road (formally 7 Gravel Pit Road)***
- ***PIN #86441100862262 as 103 Gravel Pit Road (formally 11 Gravel Pit Road)***
- ***PIN #86441100861826 as 125 Gravel Pit Road (formally 13 Gravel Pit Road)***
- ***PIN #86441100775044 as 159 Gravel Pit Road (formally 15 Gravel Pit Road)***
- ***PIN #86441100773858 as 190 Gravel Pit Road (formally 20 Gravel Pit Road)***
- ***PIN #86441100684111 as 225 Gravel Pit Road (formally 23 Gravel Pit Road)***
- ***PIN #86441100686688 as 233 Gravel Pit Road***
- ***PIN #86441100794119 as 242 Gravel Pit Road for the residence (formally 32 Gravel Pit Road)***
- ***PIN #86441100794119 as 254 Gravel Pit Road for the restaurant (formally 32 Gravel Pit Road)***
- ***PIN #86441100598030 as 257 Gravel Pit Road (formally 33 Gravel Pit Road)***
- ***PIN #86441100696435 as 263 Gravel Pit Road (formally 31 Gravel Pit Road)***

Supervisor Feick made a motion to readdress the following properties:

- *PIN #86441100853496 as 75 Gravel Pit Road (formally 5 Gravel Pit Road)*
- *PIN #86441100853666 as 79 Gravel Pit Road (formally 7 Gravel Pit Road)*
- *PIN #86441100862262 as 103 Gravel Pit Road (formally 11 Gravel Pit Road)*
- *PIN #86441100861826 as 125 Gravel Pit Road (formally 13 Gravel Pit Road)*
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- *PIN #86441100598030 as 257 Gravel Pit Road (formally 33 Gravel Pit Road)*
- *PIN #86441100696435 as 263 Gravel Pit Road (formally 31 Gravel Pit Road)*

The motion was seconded by Chairman Deck and passed unanimously (3-0).

Should the Township offer Zoom meetings again

Chairman Deck made a motion to authorize Mrs. Flaherty reinstate the account to offer Zoom meetings again. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

CARES Grant has been awarded; the amount approved is \$5,143.80

Mrs. Flaherty advised that the full amount submitted has been approved; she's hoping that the money will come in before the end of the year.

Township Notary

Mrs. Flaherty advised that the Township no longer has an inhouse notary; she was instructed to research the cost associated with becoming a notary. She has been in touch with two organizations that offer training, the cost is approximately \$400. She would prefer to go with the Pennsylvania Association of Notaries, as they offer in class training. The Board agreed the it is a good idea to have an inhouse notary.

Supervisor Feick made a motion to authorize Mrs. Flaherty to sign up for the class to become a notary for a cost of approximately \$400. The motion was seconded by Chairman Deck and passed unanimously (3-0).

Board vacancies for 2021

- 1. Planning Commission – Gary Deck’s term ends; he would like to continue – new term would be January, 2021 – December, 2024***
- 2. Recreation Board – John Zimmerman’s term ends; he would like to continue – new term would be January, 2021 – December, 2025***
- 3. Zoning Hearing Board – Harold Zimmerman’s term ends; he would like to continue – new term would be January, 2021 – December, 2023***

Vacant positions need to be filled at the reorganization meeting to be held on January 4, 2021

Mrs. Flaherty reported that the Township has three (3) positions with terms that expire at the end of 2020, the members advised that they would like to be reappointed; if the Board desires the members would be reappointed at the Reorganization meeting.

FINANCIAL REPORT AND APPROVAL FOR PAYMENT OF BILLS

Account Balances for the end of October, 2020 were as follows:

General Account	\$ 40,302.52
First Citizens General Holding Account	\$ 96,939.97
General Plus Account	\$310,691.58
State Aid Account	\$ 211.90
State Plus Account	\$ 41,119.42
Street Light Account	\$ 18,776.62
Recreation Planning Escrow Account	\$ 9,231.57

Mrs. Flaherty advised the Board that the balance in the Recreation Planning Escrow Account will be paid to Tulpehocken Township, due to an invoice being paid out of the General Fund earlier in 2020. We are waiting for DCNR to send the final payment, once that money is received the Township will reimburse themselves; the remaining balance will be interest earned since the account was opened.

Payments of Bills for this November 10, 2020 meeting are:

- General Account combined with the payroll account – Checks #20224 to #20263 in the amount of \$31,885.87
- Street Light Account – Check #454 in the amount of \$1,200.92
- State Liquid Fuels Account –
- Recreation Fund –
- Recreation Planning Escrow –
- Camp Calvary Land Dev. Escrow –
- Camp Calvary Inspection Escrow –

Village Estates Improvements Inspection Escrow –
Stormwater Inspection Escrow –
Total Expenses for this meeting – \$33,086.79

Supervisor Feick made a motion to approve the payments of the bills for this November 10, 2020 meeting. The motion was seconded by Chairman Deck and passed unanimously (3-0).

Sewer Accounts balances for the end of October, 2020 were as follows:

Sewer Operation Account – \$304.63
Balance in the Sewer Holding Account - \$226,519.72
Debt Service Account - \$427,623.58

Payments of Bills in the Sewer Operation Account for this November 10, 2020 meeting are:

Check #2569 to #2581 in the amount of \$11,149.03

Supervisor Feick made a motion to approve payment of the sewer bills. The motion was seconded by Chairman Deck and passed unanimously (3-0).

EXECUTIVE SESSION

None.

ADJOURNMENT OF MEETING

Chairman Deck made a motion to adjourn the meeting at 8:13 P.M. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Respectfully Submitted,

Christy Flaherty

Secretary, Tulpehocken Township