

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

The Tulpehocken Township Board of Supervisors met on November 8, 2017 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 Kris Kerschner, Police Chief, Chris Hartman, Township Solicitor, Matt Mack, Township Engineer, Christy Flaherty, Township Secretary/Treasurer and Heather Claman, Sewer Secretary

Members of the audience included: Alan Love, Robert Sattazahn, Lloyd Schneck, Dennis Royer, Linda Umbenhauer, Rufus Martin and Matt Newswanger.

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. Royer commented on the Township's new tractor/mower being an asset to the community.

APPROVAL OF MINUTES

Vice Chairman Kramer made a motion to approve the minutes from the October 11, 2017 Board of Supervisors meeting. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

ADMINISTRATIVE ACTIONS

Planning Commission

Rufus Eugene & Susan Martin Poultry Plan: Time expires December 6, 2017. The Township Engineer will need to review and approve the cost estimate for this project. The applicant will be enforcing the shoulder on the opposite side of the road for trucks turning into the driveway. The applicant is going to try and get a letter from the neighbor for emergency access to the pond on the neighboring property. There is a new legal description combining the 2 tracts which were on one deed to one tract on one deed. The Township Solicitor will need to review and be satisfied with the combination and the deed will need to be re-recorded. Page two (2) of the plan there is a section where the date that the waivers were approved needs to be filled in before plans are released for recording or a revised page two needs to be submitted.

John Zimmerman made a motion to recommend to the Board of Supervisors to grant the following waivers. Ray Daub seconded the motion. All in favor, motion carried.

- Section 302. This plan was submitted as a combined submission. This requires a waiver.***
- Section 302.F. The key map for the purpose of locating the property being subdivided drawn to scale. The scale of the map is appropriate for the subject property.***

- ***Section 303.1H.*** *The location of all existing and proposed monuments is required. This plan has most of the property pinned. One corner is not pinned due to farming in that area.*
- ***Section 310.K.2.*** *The toe of the slope of any fill shall be located no less than 25 feet from any property line. The plan notes that the property line will be staked prior to construction.*

Vice Chairman Kramer made a motion to grant the following waivers.

- ***Section 302.*** *This plan was submitted as a combined submission. This requires a waiver.*
- ***Section 302.F.*** *The key map for the purpose of locating the property being subdivided drawn to scale. The scale of the map is appropriate for the subject property.*
- ***Section 303.1H.*** *The location of all existing and proposed monuments is required. This plan has most of the property pinned. One corner is not pinned due to farming in that area.*
- ***Section 310.K.2.*** *The toe of the slope of any fill shall be located no less than 25 feet from any property line. The plan notes that the property line will be staked prior to construction.*

The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Laverne Frey made a motion to recommend to the Board of Supervisors to grant conditional preliminary/final plan approval with the conditions listed below. John Zimmerman seconded the motion. All in favor, motion carried.

- ***Conditions in the Township Engineer letter dated October 31, 2017 which includes maintenance responsibilities and agreements.***
- ***E & S and NPDES approval is still needed.***
- ***Township Solicitor needs to review the combined deed and blanket easement.***

Mr. Love advised that he is hopeful that E & S and NPDES approval will happen next week.

Supervisor Feick made a motion to grant Conditional Preliminary/Final Plan approval with the conditions listed below.

- ***Conditions in the Township Engineer letter dated October 31, 2017 which includes maintenance responsibilities and agreements.***
- ***E & S and NPDES approval is still needed.***
- ***Township Solicitor needs to review the combined deed and blanket easement.***

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

Mr. Love requested the Board to accept a thirty (30) day time extension; noting that he would submit the letter to Mrs. Claman via email tomorrow.

Supervisor Feick made a motion to accept the thirty (30) day time extension. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Solicitor Legal Discussions

The Board discussed residents shooting on their property and enacting a shooting management ordinance. It was suggested to contact the NRA to seek recommendations. Attorney Hartman suggested requiring/regulating safe shooting operations and properly constructed backstops. The Board discussed who's shooting; is it the property owner or an outside party. They also discussed the Zoning Ordinance and the ability to issue citations. It was suggested not to allow shooting within the Village Center Zoning. Chairman Deck and Chief Kerschner advised that they would contact the

NRA to seek recommendations.

Attorney Hartman updated the Board with regards to Act 42 of 2017 authorizing the placement of category 4 casinos; noting that a resolution is required if the Township chooses to opt out. The Board discussed the matter and agreed that they did not feel it would be an issue in the Township and choose not to take any action.

Escrow Release

None.

Correspondence from Zoning Officer October update

The Zoning Officer addressed the Hlavaty property (32 Summer Mountain Road); cars. Received a telephone call from property owners; they are in their 70's and were planning on getting some of the cars moved as soon as this weekend. They asked if we can work with them as they are not in the greatest shape; will comply.

The Zoning Officer addressed the Hoffert property (5228 Rt. 419); scrap metal/junk. Property owner has been in touch; will comply, requested time.

Chairman Deck made a motion to allow Mr. Hoffert until March 21, 2018, to bring the property located at 5228 Rt. 419 into compliance. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

The Zoning Officer addressed the Veres property (38 Summer Mountain Road); vehicles. Property owner advised that he established a business back in the 1980's, which predated the ordinance. Documentation showing the establishment of the business was provided to the Township. Therefore I would consider this an existing non-conforming use; recommend that the case be closed.

Attorney Hartman reviewed the documentation and agreed with the Zoning Officer's recommendation.

Supervisor Feick made a motion to consider the complaint filed against the Veres property located at 38 Summer Mountain Road closed. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

The Zoning Officer addressed the Levan property (200 Deck Road); vehicles. Property owner reported that she was going to get documentation together, along with a statement from her attorney regarding "classic" care on her property. In the case of the newer complaints; we're willing to work with them on the cleanup schedule as long as progress is made.

The Board discussed the motion made at the September 13, 2017 meeting.

Supervisor Feick made a motion to issue citations if proof of the vehicles being legal is not provided. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Land Development

None.

STAFF REPORTS

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

ACTIVITY	TULPEHOCKEN TWP	MARION TWP
MILES PATROLLED	3350	721
GALLONS OF FUEL	297.7	0
HOURS WORKED	476.5	60
PATROL HOURS	403	44.75
TULPEHOCKEN AREA SCHOOL DIST. HOURS	28	0
TOTAL INCIDENTS	8	2
TOTAL COMPLAINTS	19	9
MISCELLANEOUS CALLS FOR SERVICE	37	1
FOLLOW-UP INVEST	0	0
TELEPHONE ASSIGNMENTS	40	10
COMM/RESIDENTIAL ALARMS	3	2
EMS/FIRE ADVISORIES	19	5
TRAFFIC STOPS	21	9
CITATIONS ISSUED	31	8
NON-TRAFFIC CITATIONS	0	0
TRAFFIC WARNINGS	2	0
WARRANTS	0	0
PARKING TICKETS	0	0
TRAFFIC ACCIDENTS	6	6
DUI ARRESTS	0	0
MISDEMEANOR/FELONY	2	0
SECURITY CHECKS	90	3
POLICE ASSISTS	18	0
MOTORISTS ASSISTS	2	0
COURT APPEARANCES	1	0
SCHOOL HOURS	0	0

Chief Kerschner reported that during the month of October there were 204 calls received through Berks County 911 for police. He once again warned residents to secure their property (lock buildings and vehicles); noting recent thefts in the Township and also in Bethel Township. He reported that the Department is finishing up with the Aggressive Driving Grant and that the PA Buckle Up Grant will take place over the Thanksgiving holiday; the Township will receive \$1,300.

Road Master's Report – Supervisor Feick read the October, 2017 report. The work consisted of telephone calls, check on driveway permit, grading lot in Town, meter reading, meet w/Teen Challenge re: sewer issues, sewer maintenance, pothole patching, equipment maintenance/repair, attend Public Works Trade Show, sewer issues, check on new pump station, cut up tree, road

maintenance/repairs, highway/lawn mowing, meet w/Township Engineer, work in shop, p/u parts, wash trucks, black topping, line painting, attend sewer workshop, remove trees from roadway, and meet w/Comcast re: sewer pump station.

Supervisor Feick reported that he still needs to purchase one (1) load of blacktop to do some road work on Woleber Road; time and weather permitting.

Supervisor Feick discussed the work done on Apple and Green Streets; requested the Board to ratify the expenses associated with the project.

Chairman Deck made a motion to ratify the expenses associated with the work done on Apple and Green Streets. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Supervisor Feick reported on the work done at the Market Street Pump Station; also installed gutter to help with water runoff.

Chairman Deck advised that he received a complaint with regards to the inlet box on the Stoltz property (Deck Road) needing to be cleaned out.

Chairman Deck requested everyone to be on the lookout for dead Ash trees.

Supervisor Feick commented with regards to a dead tree located on Deck Road in the right of way that needs to be removed; he noted that professional help will be needed for the removal.

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.

Mt. Meadows – In-law Suite

The Board discussed the matter, establishing a policy and the current cap. Attorney Hartman suggested establishing a rule and having a recorded agreement. Mrs. Claman reported on how properties are currently being charged tapping fees and edu's; she gave several examples.

Supervisor Feick made a motion that for sewer purposes in-law quarters will be treated like an apartment; charge two (2) Tapping Fees, two (2) EDU's and one (1) Connection Inspection Fee but for zoning purposes in-law quarters will required a signed/recorded agreement noting that they can never be rented out and must be occupied by a family member. The motion was seconded by Chairman Deck and passed unanimously (3-0).

The Board excused themselves in an Executive Session to discuss various sewer matters.

Discuss Lancaster Avenue Pump Station Upgrades

The Board advised that they will have the Township Engineer put together a proposal to be presented to the developer of Mt. Meadows.

Discuss memo from Sewer Secretary dated November 6, 2017 regarding tapping fees and edu's

The Board discussed the memorandum and agreed that more investigation is needed.

UNFINISHED BUSINESS

Update regarding Weidner Bridge on Salem Road – Motion to authorize the authorization of the execution of MS-399 (Application for County Aid)

Vice Chairman Kramer made a motion to authorize the execution of MS-399. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

NEW BUSINESS

Issue with fuel gauge/float on fuel tanks – Our fuel delivery company has advised that the gauge does not appear to be working properly. Motion to authorize Innovative Petroleum Equipment & Contracting Inc. (IPEC) to inspect/repair issues

Chairman Deck made a motion to authorize Innovative Petroleum Equipment & Contracting Inc. to inspect/repair the tank issues. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Reorganization 2018 – Reorganization meeting is Tuesday, January 2, 2018. We need to set the time and advertise the meeting. Last year the meeting was at 6 P.M.

Supervisor Feick made a motion to hold the reorganization and regular monthly meeting on Tuesday, January 2, 2018 at 6 P.M. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

2018 Meeting Dates – Motion to advertise meeting dates

The Board review the proposed meeting dates for 2018; it was agreed that the Board of Supervisors' meetings would be held on the second Wednesday of the month at 7 P.M., starting with the February 14th meeting, the Planning Commission meetings would be held the first Thursday of the month at 7:30 P.M. and the Recreation Board would meet quarterly on the third Thursday of the month at 7 P.M.. Supervisor Feick reported that he will not be at the May meeting.

Chairman Deck made a motion to accept the 2018 meeting schedule as listed above and to authorize the advertisement of the Township's 2018 Meeting Dates in the Reading Eagle and the Merchandiser. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

CORRESPONDENCE

None.

OTHER BUSINESS

Met-Ed Substation – Motion to ratify Chairman Deck’s signature of the agreements

Supervisor Feick made a motion to ratify Chairman Deck’s signature on the agreements for the Med-Ed Substation. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Aaron Hoover Dairy Operation – Motion to ratify Chairman Deck’s signature of the agreements

Supervisor Feick made a motion to ratify Chairman Deck’s signature on the agreements for the Aaron Hoover Dairy Operation. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Appointment CPA Auditor – We need to advertise no later than November 29, 2017 for the appointment of the Township CPA Auditor and their applicable fees for the Fiscal Year 2017 Annual Audit. The Fee for RKL to perform the audit is \$10,800

The appointment of the Township’s CPA auditor needs to be advertised thirty (30) days prior to the Reorganization Meeting along with their applicable fees that will be charged. Audit fee for RKL will be \$10,800.00.

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).

VALIC Proxy Statement – Motion to authorize Chairman to sign

The Board reviewed the statement and agreed to check the box to “Authorize only and DO NOT VOTE”.

Vice Chairman Kramer made a motion to authorize the Chairman to sign the VALIC Proxy Statement. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

The Board discussed the appreciation dinner for the residents who volunteer on various Boards/Commissions and employees. It was noted that the dinner will be held at Kauffman’s on Wednesday, December 6, 2018 at 5:30 P.M. Mrs. Flaherty will send an invitation flyer to the volunteers and employees.

FINANCIAL REPORT AND APPROVAL FOR PAYMENT OF BILLS

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

General Account	\$101,011.69
First Citizens General Holding Account	\$ 45,853.76
General Plus Account	\$200,629.29
State Aid Account	\$ 142.53
State Plus Account	\$105,276.79
Street Light Account	\$ 14,823.71

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

General Account combined with the payroll account – Checks #17855 to #17890 in the amount of \$19,100.31
Street Light Account – Check #369 in the amount of \$1,292.69
State Liquid Fuels Account –
Recreation Fund –
Camp Calvary Land Dev. Escrow –
Camp Calvary Inspection Escrow –
Village Estates Improvements Inspection Escrow –
Stormwater Inspection Escrow –
Total Expenses for this meeting – \$20,393.00

Vice Chairman Kramer made a motion to approve the payments of the bills for this November 8, 2017 meeting. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

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

Sewer Operation Account – \$1,275.69
Balance in the Sewer Holding Account - \$139,367.16
Debt Service Account - \$407,103.72

Payments of Bills in the Sewer Operation Account for this November 8, 2017 meeting are:
Check #2031 to #2044 in the amount of \$13,868.36

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 9:55 P.M. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Respectfully Submitted,

Christy Flaherty

Secretary, Tulpehocken Township