

## **April 13, 2009 Board of Supervisors Meeting**

Chairman Whitmoyer called the regular meeting of the Township Board of Supervisors to order at 7:08 p.m. in the Tulpehocken Township Municipal Building. At this time Chairman announced the Board held an executive session prior to the meeting to discuss possible litigation. Those attending the regular monthly meeting were Ron Whitmoyer, Dale Swope, John Kintzer, Kathy Boltz, Lester Feick, Liz Magovern, Pete Eisenbrown, and other interested persons.

The meeting continued with the pledge to the American Flag.

### **Public Comments**

Resident, Shirley Derr commented that it is mowing season and debris gets blown into the alley and streets. The Board's reply was that they will keep an eye on this.

Resident, Leroy Hower commented that Mill Street in Mt Aetna is posted as a one way street and the traffic should not be coming out onto route 501. However people are going the wrong way and creating a dangerous situation. The Board commented that they will have the Township Engineer look at the situation and make a recommendation on how to rework the street for safety.

### **Approval of Minutes**

John Kintzer made a motion to approve the minutes from the March 9, 2009 meeting. Dale Swope second the motion, upon a roll call vote all three Board Members cast a yes vote.

## **ADMINISTRATIVE ACTIONS**

### **Planning Commission Recommendations to the Board on Plans**

**Mountain Meadows** - The Planning Commission recommended acceptance of a time extension until July 23, 2009. Dale Swope made a motion to accept the time extension until July 23, 2009. Motion second by John Kintzer, upon a roll call vote all three Board Members cast a yes vote.

**Rossini Farm III** – The Planning Commission recommended rejection of the plan unless a 90 day time extension is received. A letter has been received requesting an additional 90 days for review of the plan. John Kintzer made a motion to accept the 90 day time extension, Dale Swope second the motion. Upon a roll call vote all three Board Members cast a yes vote.

The developer wants to make the improvements on lots 1 & 2 of the Rossini Farms III. Since a private entity will be performing the work in the right of way and on the Township road the developer and the Township will establish an improvements agreement prior to plan approval. Township Engineer is available to meet with the contactor to establish this agreement.

**Giorgio II** – Planning Commission recommended granting a waiver of Section 501.2.M.1.b to permit lot line orientation as shown, and Section 501.2.M.1.d to permit lot depth to width ratio as shown. John Kintzer made a motion to grant a waiver of Section 501.2.M.1.b and Section 501.2.M.1.d, motion second by Dale Swope. Upon a roll call vote all three Board members cast a yes vote.

Planning Commission recommended conditional approval of the Giorgio II sketch plan for record if the waivers are granted, with the conditions being, the SEO has no adverse comments on the sewage planning for the subdivision, and the Developers signature and notarization be added to the plan. Dale Swope made a motion to conditionally approve the plan pending DEP approval of the Planning Module. John Kintzer second the motion, upon a roll call vote all three Board Members cast a yes vote.

The Planning Module had been received by the Township since the April Planning Commission meeting. John Kintzer made a motion to authorize the Chairman to sign the Planning Module. Motion second by Dale Swope, upon a roll call vote all three Board Members cast a yes vote.

**David Alspaugh** - Planning Commission recommended rejecting the plan unless a letter for a time extension is received. A letter had been received by the Township for a request of a 90 day time extension. Dale Swope made a motion to accept the 90 day time extension, motion second by John Kintzer. Upon a roll call vote, all three Board Members cast a yes vote.

The Board discussed the cul-de-sac that is being proposed for this subdivision. The Board agreed on the concept that the cul-de-sac be a private street, black topped to the last driveway, and stone the lane to the back lot.

**Nelson & Anna Brubaker** – Planning Commission recommended granting a waiver of section 301.1.M to have no contours and to conditionally approve the sketch plan for record. Dale Swope made a motion granting a waiver of Section 301.1.M. Motion second by John Kintzer, upon a roll call vote all three Board Members cast a yes vote. John Kintzer made a motion to approve the sketch plan for record, Dale Swope second the motion. Upon a roll call vote all three Board Members cast a yes vote.

**Gettel Acres** – Planning Commission recommended conditional approval of the preliminary plan. The Board read and discussed the conditions that had been recommended by the Planning Commission. Dale Swope made a motion to conditionally approve the preliminary plan in agreement with the Planning Commission recommendations with the exception of the third condition; that the tapping fees will be paid at time of issuing zoning and building permits for Phase I. John Kintzer second the motion, upon a roll call vote all three Board Members cast a yes vote.

The Board also discussed dry hydrant lines and asked the developer if he would consider putting an easement on the plan if and when the lines would ever be run in the future. The developer commented that he would work with this concept. The Township Engineer will forward a rough plan to the developer to review. There was discussion on removing trees at the Cherry Hill Road and Godfrey Street intersection for better site distance. The trees are interfered by electric lines. The developer commented that this is a safety issue and the electric company would need to trim them before he would consider removing them. There was also discussion on the Township improving this intersection, and if the developer would consider showing the improvements on the plan so the work can be done at the same time. The developers reply was let me know the cost and I will think about it.

**Agricultural Security** –The Agricultural Security Board meeting will be held Wednesday, April 22, 2009 at 7:00 p.m. in the Township Building to review the application received. The Township had received a request from Upper Tulpehocken Township to include the entire property of Harry Fry, located at 306 Moyer Road, situate in both the Tulpehocken Township and

Upper Tulpehocken Township Agriculture Security Area. The Board reviewed the request and is willing to allow Upper Tulpehocken Township to accept the entire Fry property into the Upper Tulpehocken Township Agricultural Security Area. John Kintzer made a motion to accept the application and that it is entered into the Upper Tulpehocken Township Agricultural Security Area by resolution, Upper Tulpehocken Township will send a resolution to be adopted at the next months meeting. Motion second by Dale Swope, upon a roll call vote all three members cast a yes vote.

### Solicitor Legal Discussions

Liz Magovern reported she did not have any further legal issues for discussion at this time.

### STAFF REPORTS

**Police Report** – Chief Kerschner read the March 2009 Police report as follows:

Activity	Tulpehocken Twp.	Strausstown Borough	Marion Twp.
Miles Patrolled	2821	128	1059
Gallons of Fuel	286	0	0
Hours of Work	453	20	60
Total Incidents	3	0	5
Complaints	3	1	8
Follow-up Investigations	1	0	0
Telephone Assignments	9	1	4
Comm/Residential to Alarms	1	0	1
EMS/Fire Advisory	10	3	0
Traffic Stops	79	6	23
Citations Issued	71	7	26
Non-traffic Citations	0	0	1
Traffic Warnings	14	1	2
Parking Tickets	0	0	0
Traffic Accidents	7	0	2
DUI Arrests	0	0	0
Misdemeanor/Felony	0	0	0
Security Checks	88	33	20
School Details	0	0	0
Police Assists	7	0	0
Motorists Assists	4	0	1
Court Appearances	2	0	0
School Hours	48	0	0

Chief Kerschner also commented that a copy of the Standard Operation and Procedures had been given to the Township Solicitor for review.

**Road Master's Report** – Lester Feick reported work for the month of March 2009 consisted of one snow and ice event, patching and grating shoulders of roads, removing trees on bank along Pottieger Road, shop work, sewer maintenance and problems.

## UNFINISHED BUSINESS

**Sewage Enforcement Officer** – LTL Consultants had been temporarily appointed as Sewage Enforcement Officer until this April 13, 2009 meeting. The Board discussed changing the SEO for the Township. John Kintzer made a motion to appoint Ludgate Engineering as SEO, motion second by Dale. Upon a roll call vote John and Dale cast a yes vote, and Ron cast a no vote.

**Mobile Home Ordinance** – John Kintzer made a motion to advertise the Mobile Home Ordinance, Dale Swope second the motion. Upon a roll call vote all three Board Members cast a yes vote.

**Square in Mt. Aetna** – Township Engineer reviewed three concepts with the Board of Supervisors. The Board agreed that the raised island concept was the best for the intersection. The Board will have the Township Engineer submit a rough draft to Penn Dot to get review comments and feed back.

**DeBrunner & Associates** – The Township had received proposals from DeBrunner & Associates on applying for grants for various projects. It was discussed that paying weather or not we get the grant is not a wise discussion and that due to the economy it would be in the best interest to keep things the same for now. The Board also discussed continuing doing more research for funding to get a recreation plan.

## NEW BUSINESS

**Street Lighting** – Dale Swope commented that the Township needs to tighten up the Street Light Laws when the street light tax rate is set next year.

## CORRESPONDENCE

At this time Resident Gerald Umbenhauer commented that the village of Mt Aetna has the option of receiving home delivery from the US Postal Service, and that he is concerned with the Postal Service's recommendation of placing the boxes.

## FINANCIAL REPORT AND APPROVAL FOR PAYMENT OF BILLS

Account Balances for the end of March 2009 were as follows:

General Account	93,275.17
FNB Fredericksburg Holding Account	6,229.90
General Plus Account	197,400.47
State Aid Account	712.70
State Plus Account	71,430.85
Street Light Account	9,861.92

Payments of Bills for this April 13, 2009 meeting are:

General Account combined with the payroll account- Checks #11064 to #11094 in the amount of \$47,148.83

Street Light Account – Check #263 in the amount of \$1,008.92

State Liquid Fuels Account – no expenses this month

Total Expenses for this meeting – \$48,157.75

Dale Swope made a motion to approve payment of the bills, motion second by John Kintzer. Upon a roll-call vote, all three Board members cast a yes vote on the motion.

Sewer Accounts

Sewer Operation Account – \$21,716.96

Balance in the Sewer Holding Account - \$30,702.48

Debt Service Account - \$509,595.50

Payments of Bills in the Sewer Operation Account for this April 13, 2009 meeting are:

Check # 529 to # 546 in the amount of \$15,194.82

John Kintzer made a motion to approve payment of the sewer bills motion second by Dale Swope. Upon a roll-call vote, all three Board members cast a yes vote on the motion.

**ADJOURNMENT OF MEETING**

At 10:12 p.m. Dale Swope made a motion to adjourn that was second by John Kintzer. Upon a roll call vote, all three Board members cast a yes vote on the motion, meeting adjourned.

Respectfully Submitted,

*Kathy Boltz*

Secretary, Tulpehocken Township