

## **August 9, 2010 Board of Supervisors Meeting**

Chairman Whitmoyer called the regular meeting of the Township Board of Supervisors to order at 7:00 p.m. in the Tulpehocken Township Municipal Building. Those attending the regular monthly meeting were Ron Whitmoyer, John Kintzer, Rick Kramer, Kris Kerschner, Lester Feick, Solicitor Bethany Emkey, and other interested persons.

The meeting continued with the pledge to the American Flag.

Chairman Whitmoyer announced that an executive session was held on July 22, 2010 to discuss a personnel matter.

### **Public Comments**

Leonard Martin presented the Board with a sketch plan of an apartment building located on Route 501/Lancaster Avenue and Blackberry Alley on the old factory building lot and requested a waiver of land development. Mr. Martin was advised to follow the Tulpehocken Township Subdivision and Land Development Ordinance procedures and take the request to the Planning Commission for a recommendation to the Board of Supervisors first.

Resident Bridget Rhoads requested that the Township send a letter to the Game Commission in support of her application for a menagerie permit for her kangaroo. Chairman Whitmoyer indicated that the Township Zoning Officer had made a determination that this is an approved use. *Supervisor Kintzer made a motion, seconded by Supervisor Kramer, to instruct the Township Secretary to draft and send a letter to the Game Commission in support of Ms. Rhoads menagerie permit application. Upon a roll call vote all three Board Members cast a yes vote.*

Resident Gerald Umbehauer brought to the attention of the Supervisors that the trees in town need trimming, especially over the alley ways. He also inquired about the cost of adding street lights and about changing one-way traffic for the parade for the upcoming bi-centennial. Chairman Whitmoyer noted the intended road closures and the parade route and that the Police Secretary is aware of this and it will be discussed further at the Bicentennial Committee meeting.

A resident noted that there are missing stop signs. Police Chief Kerschner responded that signs are being stolen on a regular basis for scrap metal sales.

### **Approval of Minutes**

*John Kintzer made a motion to approve the minutes from the July 12, 2010 meeting. Rick Kramer second the motion, upon a roll call vote all three Board Members cast a yes vote.*

## **ADMINISTRATIVE ACTIONS**

### **a. Planning Commission Recommendations to the Board**

The monthly **Planning Commission meeting** scheduled for August 5, 2010 was cancelled due to a lack of business.

**Diller Zoning Hearing Application** – In lieu of the Planning Commission's review, the Board of Supervisors discussed the Application for zoning relief. A variance and special exception are required for the proposed use of a commercial billboard in the IC Zoning District along Highway

501. Chairman Whitmoyer commented that billboards are not allowed along Highway 501 since it is part of the Penn DOT Highway Beautification Program. *John Kintzer made a motion, seconded by Rick Kramer, that the Township Secretary send a letter to the Zoning Hearing Board stating that the Board of Supervisors concurs with and supports the Zoning Officer's letter of May 11, 2010, and that Highway 501 is part of the Penn DOT Highway Beautification Program. Upon a roll call vote all three Board Members cast a yes vote.*

#### **b. Solicitor Legal Discussions**

Township mowing of private properties at 27A Parkside Inn Road and 4 Summer Mountain Road – Chairman Whitmoyer explained that the Township mowed the grass on these properties prior to the July 4, 2010 holiday to clean up the Township. Attempts to send invoices for mowing services to the property owners have been unsuccessful, despite various address searches. The Solicitor explained that pursuant to the Township property maintenance ordinance the Township can lien these properties either by publication or posting. *John Kintzer made a motion, seconded by Rick Kramer, to authorize the Solicitor to take legal action to lien the properties to collect for mowing services and the costs associated therewith. Upon a roll call vote all three Board Members cast a yes vote.*

The Solicitor explained that the Township is required to prepare and implement a “Red Flag” program to prevent identity theft of sewer customers’ information by December 31, 2010. The Township is subject to the Fair and Accurate Credit Transaction Act and Federal Trade Commission regulations because it has utility accounts. The Solicitor provided the Board of Supervisors with a sample Identity Theft Prevention Program and resolution to adopt the Program. The Supervisors agreed to review the Program and give the Township Secretary a copy for her to review, since she will likely be designated as the Program Administrator.

### **STAFF REPORTS**

**Police Report** – Chief Kerschner read the July 2010 Police report as follows:

<b>Activity</b>	<b>Tulpehocken Twp.</b>	<b>Strausstown Borough</b>	<b>Marion Twp.</b>
Miles Patrolled	2791	165	1022
Gallons of Fuel	254	0	0
Hours of Work	454	20	60
Total Incidents	11	0	2
Complaints	4	3	6
Follow-up Investigations	3	2	0
Telephone Assignments	24	2	10
Comm/Residential to Alarms	2	1	2
EMS/Fire Advisory	5	2	7
Traffic Stops	47	7	13
Citations Issued	51	7	14
Non-traffic Citations	1	0	0
Traffic Warnings	2	1	1
Parking Tickets	0	1	0
Traffic Accidents	4	0	4
DUI Arrests	0	0	0
Misdemeanor/Felony	0	1	0
Security Checks	161	120	94
Police Assists	9	0	0
Motorists Assists	0	0	0
Court Appearances	5	0	1

School Hours	0	0	0

Chief Kerschner commented that the Police Department is in need of additional ammunition and that he will be purchasing ammunition in the most cost effective way for the Township, given special hazardous shipping rates and costs. He will also take advantage of reimbursement options by the Commonwealth.

**Road Master's Report** – Road Master, Lester Feick read the report for July 2010. The work consisted of highway mowing, tree removal, sewer maintenance, equipment maintenance and repair, and tree trimming. He also commented that tomorrow black topping work will begin and next week seal coating work will commence. Supervisor Kintzer asked whether the Township completed a sewer survey for the County and Chairman Whitmoyer responded that it was completed without incurring professional engineering or legal costs. Supervisor Kramer and several members of the public commented that there are water problems.

### UNFINISHED BUSINESS

**Building Permit Fees/Codes Enforcement** – The Supervisors continued their discussion from last month after their completion of additional research, reference checks and review of requests for proposals. *John Kintzer made a motion, seconded by Rick Kramer, to appoint Commonwealth Code Inspection Services as the Township Building and Code Enforcement Officer in place of Bureau Veritas, and to enter into an Agreement with CCIS for such services . Bureau Veritas will be allowed to complete their currently assigned projects and CCIS will accept all new building permit application and code enforcement work. Upon a roll call vote Supervisors Kintzer and Kramer cast a yes vote and Chairman Whitmoyer cast a no vote.*

**Alternate Zoning Hearing Board Member – Resolution 2010-7** – The Supervisors ratified and executed the resolution to appoint an alternate member to the Zoning Hearing Board, which was done by unanimous motion at the Supervisors' meeting in July.

### NEW BUSINESS

### CORRESPONDENCE

**Letter from Maidencreek Township Board of Supervisors** – Chairman Whitmoyer read the correspondence aloud and a discussion regarding the Tax Collection Committee (TCC) and House Bill 2412 followed. John Kintzer, serving as the Township's representative, provided an update on the voting process and his opinion of the candidates for tax collector. *John Kintzer made a motion, seconded by Rick Kramer, to have the Township Secretary send a letter of support of House Bill 2412 to the State Representative for Tulpehocken Township. Upon a roll call vote all three Board Members cast a yes vote.*

### FINANCIAL REPORT AND APPROVAL FOR PAYMENT OF BILLS

The following financial reports were read aloud:

Account Balances for the end of July 2010 were as follows:

General Account	162,013.03
FNB Fredericksburg Holding Account	34,987.99

General Plus Account	198,322.83
State Aid Account	251.54
State Plus Account	205,674.84
Street Light Account	12,244.68

Payments of Bills for this August 9, 2010 meeting are:

General Account combined with the payroll account- Checks #12184 to #12220 in the amount of \$23,242.82  
 Street Light Account – Check 279 in the amount of \$1,144.11  
 State Liquid Liquid Fuels Account -  
 Camp Calvary Land Dev. Escrow - \$90.00  
 Total Expenses for this meeting – \$24,476.93

John Kintzer made a motion to pay the bills, Rick Kramer second the motion. Upon a roll-call vote, all three Board members cast a yes vote on the motion.

Sewer Accounts  
 Sewer Operation Account – \$8,090.86  
 Balance in the Sewer Holding Account - \$500.00  
 Debt Service Account - \$437,124.35

Payments of Bills in the Sewer Operation Account for this August 9, 2010 meeting are:  
 Check 787 to 804 in the amount of \$8,246.56

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

#### **ADJOURNMENT OF MEETING**

*At 8:43 p.m. John Kintzer made a motion to adjourn the meeting that was second by Rick Kramer. 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