

## **February 9, 2009 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 were Ron Whitmoyer, Dale Swope, John Kintzer, Kathy Boltz, Lester Feick, Liz Magovern and other interested persons.

The meeting continued with the pledge to the American Flag.

### **Public Comments**

Resident, Anthony Wenger asked the Board of Supervisors if there is anyway the Township can enforce the brake retarder sign that is posted along Wintersville Road. The Board replied that the sign can be posted but there is no law to enforce it.

Resident, Gerald Derr asked the Board when the bushes are going to be removed, as per discussion from last months meeting. There was also discussion on trimming/removing trees on private property and the Township does not have the authority to do so.

At this time there was also discussion on the Andulhea Heritage Center and how the sewer charges will be handled. It was discussed that the Heritage Center will be treated the same as the Lions Clubs.

### **Approval of Minutes**

John Kintzer commented that a draft copy of the minutes is given to the Board of Supervisors prior to the meeting. John commented that he reads the minutes prior to the next meeting, notes any changes, if any are to be made, then at the next Board of Supervisors meeting the corrections are noted as the minutes are approved. John Kintzer made a motion to approve the minutes from the January 12, 2009 meeting as written. 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**

**Rossini Farm III** – The applicant requested the Board to enter into separate improvements agreements with each lot owner when the owner applies for a building permit. The Board rejected this concept and recommended that the developer complete the majority of the improvements prior to final plan approval. The Board also suggested that the developer execute an improvements agreement for the remaining improvements which still need to be constructed at the time of final plan approval. The Board believes this would cut down on the developer's costs.

John Kintzer made a motion to accept the Planning Module for the Rossini Farm III subdivision, motion second by Dale Swope. Upon a roll call vote all three Board Members cast a yes vote. Planning Module was signed by Chairman Ronald Whitmoyer, Resolution 2009-2.

**Conner Subdivision** – Planning Commission's recommendation to the Board of Supervisors was to grant permission to allow the main street to be 34 feet wide, have slant curbing and to

eliminate sidewalk from the three entrances of the development and require sidewalk to be everywhere else. Planning Commission also confirmed the previous recommendation of placing the sewer manholes on the side of the street.

Dale Swope made a motion granting permission for street C to dead end, and then left on to street A, to street D, to Lion's Park Drive, to be 34 feet wide, have slant curbing, and to be a collector street. John Kintzer second the motion, upon a roll call vote all three members cast a yes vote.

John Kintzer made a motion mandating sidewalk on both sides of all streets. Dale Swope second the motion, upon a roll call vote all three members cast a yes vote.

Dale Swope made a motion to confirm the previous motion and recommendation of the Planning Commission that the manholes for the sanitary sewer be placed on the side of the streets, 6 foot off face of curb, and 5 foot off the center line of the street. Motion second by John Kintzer, upon a roll call vote three Board members cast a yes vote.

### Solicitor Legal Discussions

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

### STAFF REPORTS

**Police Report** – Chief Kerschner commented that the Police Department has received the taser gun and then read the January 2009 Police report as follows:

Activity	Tulpehocken Twp.	Strausstown Borough	Marion Twp.
Miles Patrolled	2773	138	1029
Gallons of Fuel	264	0	0
Hours of Work	497	20	60
Total Incidents	4	0	0
Complaints	8	2	9
Follow-up Investigations	3	0	0
Telephone Assignments	13	2	3
Comm/Residential to Alarms	1	0	0
EMS/Fire Advisory	10	3	5
Traffic Stops	46	3	18
Citations Issued	36	4	13
Non-traffic Citations	1	0	0
Traffic Warnings	11	2	2
Parking Tickets	1	1	0
Traffic Accidents	2	0	1
DUI Arrests	0	0	0
Misdemeanor/Felony	1	0	0
Security Checks	116	52	66
School Details	0	0	0
Police Assists	5	0	0
Motorists Assists	4	0	1
Court Appearances	3	0	0
School Hours	0	0	0

**Road Master's Report** – Lester Feick reported work for the month of January 2009 consisted of stock piling salt and antiskid, removing trees, sign repairs, equipment repair, snow events, sewer plant repairs and maintenance.

## UNFINISHED BUSINESS

**Sewage Enforcement Officer – Brad Pflum**, of LTL Consultants attended the Board of Supervisors to discuss the temporarily position that LTL is holding as Sewage Enforcement Officer for Tulpehocken Township. There was discussion on how the cost is calculated for on lot sewage, and the yearly reimbursement from DEP to help enforce Act 537 for malfunctioning systems. The Board needs more information to render a decision. Dale Swope made a motion to appoint LTL as temporary SEO until next meeting, March 9, 2009. Motion second by John Kintzer, upon a roll call vote all three Board members cast a yes vote.

**Berks County Joint Purchasing Board Agreement** – A motion was made by John Kintzer to have Chairman, Ron Whitmoyer sign the agreement from Berks County joint Purchasing Board entering into the Fuel Bid Agreement. Dale Swope second the motion, upon a roll call vote all three Board Members cast a yes vote.

## NEW BUSINESS

**Improvements at Mt. Aetna Square** - There has been several accidents at the intersection of route 501 and Market Street in Mt. Aetna. In addition to the stop signs at the intersection, STOP has been painted on the road, and has not been effective. The Board discussed reworking the section for the safety of pedestrians and site visibility for the intersection. The new design is required to be professionally designed and approved by Penn Dot. The Board is researching two grant programs, the Main Street and the Elm Street program to help with the cost of the project.

**Memorandum of Understanding between Township and Police** – Police shall be entitled to the personal days benefit after the completion of one year of service as a regular full-time officer to the Police Department of the Township of Tulpehocken. This Memorandum of Understanding is intended to clarify the existing Police Contract and not alter or amend any provision therein. John Kintzer made a motion to approve the memorandum of understanding between Township and Police. Motion second by Dale Swope, upon a roll call vote all three Board members cast a yes vote.

**GAGAS Audit for 2008** – The Township received a notice from USDA Rural Development requiring an audit be performed according to GAGAS Standard, due to the outstanding loan balances for the sanitary sewer. This Audit will include the entire Township. For the past two years Rural Development had required a single audit of the Township, Reinsel Kuntz Leshner had performed the single audits for the Township. Reinsel Kuntz Leshner is qualified to perform the GAGAS Audit. The Board discussed the option of refinancing the sewer loans to benefit from a possible lower interest rate as well as to save the cost of the GAGAS audit, but the Township is required to submit the required audit for 2008 due to the loan balance. The Board agreed to table the decision on appointing an Auditor until next meeting.

**Keystone Fire Company** – Fire Chief, Lester H Feick read the annual report from the Keystone Fire Company and submitted a financial statement of the Fire Company. The report was as follows:

For the Year a total of 135 calls:

First Due:	10 – Fire Calls	14 – Accident Calls	4 – QRS Calls	4 – Public Service
Second Due:	9 – Fire Calls	9 – Accident Calls	1 – QRS Calls	1 – Public Service
Mutual Aid:	35 – Fire Calls	45 – Accident Calls	3 – QRS Calls	

Types of Calls: 6 AFA, 18 Residential Structure Fires, 4 Commercial Structure Fires, 5 Agriculture Structure Fires, 2 Vehicle Fires, 9 Bush Fires, 1 Electrical Fire, 2 chimney Fires, 6 Company Standbys, 3 HAZMAT Trailer calls, and 8 Hurst Tool Calls.

167 hours with 1317 men for emergency calls, 3022 hours for training, 254 hours for fund raising, \$102,500.00 fire damage to buildings, \$3500.00 fire damage to vehicles, fire Police responded to 117 calls out of 135 with 201 men, 19 Police assisted calls, 20 non-emergency public service calls, and 220 hours for training.

**EMA Promulgation** - Dale Swope made a motion to sign the Promulgation for the EMA Plan contingent upon the Board reviewing the plan. Motion second by John Kintzer, upon a roll call vote all three members cast a yes vote.

## CORRESPONDENCE

Nothing further was discussed at that time.

## FINANCIAL REPORT AND APPROVAL FOR PAYMENT OF BILLS

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

General Account	97,019.24
FNB Fredericksburg Holding Account	46,599.25
General Plus Account	196,829.78
State Aid Account	891.14
State Plus Account	73,720.97
Street Light Account	11,827.37

Payments of Bills for this February 9, 2009 meeting are:

General Account combined with the payroll account- Checks #10907 to #10939 in the amount of \$52,386.70  
 Street Light Account – Check #261 in the amount of \$1,009.30  
 State Liquid Fuels Account – Check # 135 in the amount of \$2680.32  
 Total Expenses for this meeting – \$56,076.32

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

Sewer Accounts  
 Sewer Operation Account – \$5,987.96  
 Balance in the Sewer Holding Account - \$3,201.34  
 Debt Service Account - \$508,122.25

Payments of Bills in the Sewer Operation Account for this February 9, 2009 meeting are:  
 Check # 495 to # 508 in the amount of \$6,816.58.

Dale Swope made a motion to approve payment of the sewer bills with the exception of check #507 to Dyna Tech; work performed by Dyna Tech should be under warranty. Motion second by John Kintzer. Upon a roll-call vote, all three Board members cast a yes vote on the motion.

**ADJOURNMENT OF MEETING**

At 8:58 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