

## **July 13, 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 the regular monthly meeting 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 & President of the Rehrersburg Fire Company, David Strauss, attended the meeting to discuss rumors that concern the Rehrersburg Fire Company. Mr. Strauss commented that he heard the Township was going to cut the funding to the Fire Companies within the Township and combine the two companies into one, and that the Township is planning on stopping the annual car show that is a fundraiser for the Rehrersburg Fire Company. The Board had addressed these concerns and confirmed that these items are only rumors and the current Board has not discussed cutting funds, combining Fire Companies, or stopping the car show. Dale Swope read section 1500.53 of the Township Code which addresses how the Township is required to provide emergency services. The Board commented that they appreciate both Fire Companies and the services that are provided to the Township. There was much discussion on the rumors and asked that if there is questions or concerns to please ask a Board member as to avoid more confusion and misunderstanding.

Resident Barb Schoener attended the meeting to discuss some concerns she has pertaining to the Rehrersburg Fire Company. Ms. Schoener is an employee of the Fire Companies Social Quarter's and is concerned about comments that have been made to her while on the job, about a private meeting that the Fire Company had with the Board of Supervisors and the information that was discussed during the meeting, she feels, was not kept confidential. The meeting was held October of 2008 and she still hears comments about it. Chairman Whitmoyer commented that the private meeting was not in violation of the sunshine law and was announced as an executive session at the following monthly meeting. All three Board members, John, Dale, and Ron stated for the record that they did not tell anyone what was discussed in that meeting. The Board wants to move forward on these issues and make it better, it is now a public record, please stop the rumors and don't let it become a wedge between the Fire Companies.

Resident Gerald Derr thanked the Board for removing the bushes and making it nice out in front of the Township Building. Mr. Derr commented that the Andulhea Heritage Center is not receiving the sewer rate discount. Chairman replied that the Center will receive the discount after the zoning requirements are met. Mr. Derr also commented that the stagnant water, in the swimming pool, at the old factory in Mt Aetna is now taken care of and asked if the lawn could be mowed, the neighbors are doing some of it but it is getting bad. Chairman replied that the mowing of vegetation has to be done in a legal matter.

At this time Barb Schoener commented that at 28 Church Street, Rehrersburg is in violation too. The property has high vegetation, wires hanging down, rodents, many stray cats, and is a danger and safety issue to the public. Chairman commented that the Township is sending violation notice to the property owner, the Township will be mowing the grass, and that the electricity is turned off. Township Solicitor commented that in the past the Township had petitioned the court to take legal action to get on the property but could not enter the building. The Township now

has to make a determination and deem the property unsafe and have it removed by petitioning the court again.

### Approval of Minutes

Dale Swope made a motion to approve the minutes from the June 8, 2009 meeting. John Kintzer second the motion, upon a roll call vote all three Board Members cast a yes vote.

## ADMINISTRATIVE ACTIONS

### Planning Commission Recommendations to the Board

**E & E Self Storage** – A revised plan had been submitted to the Township and will be sent to the Conservation District pending the outcome of this meeting. Applicant is waiting for correspondence with the neighbor for the shared driveway. A 90 day time extension was submitted. John Kintzer made a motion to approve the 90 day time extension. Motion second by Dale Swope, upon a roll call vote all three Board Members cast a yes vote.

**Gettel Acres** - Planning Commission made a recommendation that the plan must include the recreation area within Phase I. It was discussed that there is no need to take action, informational only.

**Alspaugh** – Planning Commission made a recommendation to grant a 90 day time extension. Dale Swope made a motion to approve a 90 day time extension. Motion second by John Kintzer, upon a roll call vote all three Board Members cast a yes vote.

**Solicitor Legal Discussions** – None at this time.

## STAFF REPORTS

**Police Report** – Officer Dronick read the June 2009 Police report as follows:

Activity	Tulpehocken Twp.	Strausstown Borough	Marion Twp.
Miles Patrolled	2803	137	1040
Gallons of Fuel	267	0	0
Hours of Work	475	20	60
Total Incidents	9	3	5
Complaints	9	0	4
Follow-up Investigations	0	0	1
Telephone Assignments	26	2	1
Comm/Residential to Alarms	2	0	2
EMS/Fire Advisory	6	0	2
Traffic Stops	63	6	11
Citations Issued	68	6	11
Non-traffic Citations	0	0	0
Traffic Warnings	6	0	0
Parking Tickets	0	1	0
Traffic Accidents	3	0	1
DUI Arrests	0	0	0

Misdemeanor/Felony	2	0	0
Security Checks	81	67	37
Police Assists	5	0	0
Motorists Assists	0	0	1
Court Appearances	4	0	1
School Hours	0	0	0

**Road Master's Report** – Lester Feick reported work for the month of June 2009 consisted of black topping, installing guiderail at Teen Challenge, Woleber, and Deck Road and Tanner Street, some shoulder work on Parkside Road, and stock piling stone. Also, that there is still one piece of equipment out for repair for the Treatment Plant that was damaged at the most recent lightning storm. The Township will be helping Marion Township with some road work, Marion has helped Tulpehocken Township in the past.

### UNFINISHED BUSINESS

**Omnibus Traffic Ordinance** – The Board has some questions and changes to this Ordinance and would like to have a workshop next week discuss the issues. The Township Solicitor will check the schedule for what days are available and then the workshop will be scheduled and advertised.

**Police Department Regulations Manual** – The Board has some question on the manual and will also discuss them at the workshop to be help next week.

**A & L Twin Reality Escrow** – Land Development agreements have been complete and the escrow account that is being held by the Township has a balance of \$3661.18 due to A & L Twin. John Kintzer made a motion to release the escrow, motion second by Dale Swope. Upon a roll call vote all three Board Members cast a yes vote.

### NEW BUSINESS

**Crack Sealing Machine** – Jefferson Township is planning on purchasing a crack sealing machine and has asked the neighboring townships to consider making a joint purchase for the piece of equipment. The board had discussed the joint purchase and that two of the other townships have decided not to go with the purchase. The board decided to table this issue for now it is too costly.

**Act 167 Plan Update for Swatara and Tulpehocken Creek Watershed** – The Township received notice from Berks County Planning Commission requesting that the Township appoint a representative from our municipality to sit on the Watershed Plan Advisory Committee. The representative would be responsible for attending committee meetings, reviewing, commenting and relaying information back to the municipality about various aspects of the plan. The first meeting will be held sometime in late July or early August. Chairman, Whitmoyer commented that John Schueller had been employed by DEP and already attending the meetings, and that he would ask Mr. Schueller if he would consider representing the township on this committee.

**Berks County Cooperative Purchasing Council Electricity Bid** – Berks County Cooperative Purchasing Council is requiring that a resolution be passed to designate a representative to serve on the Council. John Kintzer made a motion to have chairman Ronald Whitmoyer sign

Resolution 2009 -9, motion second by Dale Swope; upon a roll call vote all three Board Members cast a yes vote.

**Act 32 Earned Income Tax Collection** – Act 32 of 2008 requires each County in Pennsylvania to create a new entity call the Tax Collection Committee to implement and oversee county wide collection of earned income tax. The Act requires the governing bodies of municipalities and school districts to appoint one voting delegate and one or more alternate delegates to be a representative to the Tax Collection Committee prior to September 15, 2009. The first meeting will be held on November 4, 2009. Ronald Whitmoyer made a motion to appoint Dale Swope as the voting delegate and John Kintzer as the alternate delegate. Motion second by John Kintzer, upon a roll call vote all three Board Members cast a yes vote. Township Solicitor will prepare a resolution that covers the Act 32 to be signed at the next meeting.

**Street Names for Gettel Acres Phase I** – The Township received a letter requesting approval of the street names for Phase I of Gettel Acres. Dale Swope made a motion to accept street names of Paul Place and Doris Drive for Phase I of Gettel Acres. Motion second by John Kintzer, upon a roll call vote all three Board Members cast a yes vote.

**Road Detour** – Penn Dot is preparing a detour plan for Bernville Road Bridge painting project. The detour plan involves the closure of the bridge carrying Bernville Road over Mill Creek south of the intersection with Host Church Road. In order for this detour pattern to be feasible, Host Church Road will need to be utilized. John Kintzer made a motion to accept the detour and send a letter of approval. Motion second by Dale Swope, upon a roll call vote all three Board Members cast a yes vote.

**Insurance presentation for employees** – Aflac is coming to the Township Building on July 23<sup>rd</sup> to make a presentation to the Township employees on disability insurance. This benefit is paid by the employee if they choose to participate.

## **CORRESPONDENCE**

## **FINANCIAL REPORT AND APPROVAL FOR PAYMENT OF BILLS**

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

General Account	204,024.89
FNB Fredericksburg Holding Account	535.98
General Plus Account	197,724.98
State Aid Account	756.41
State Plus Account	216,743.54
Street Light Account	15,493.71

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

General Account combined with the payroll account- Checks #11265 to #11305 in the amount of \$34,007.99

Street Light Account – Check 266 in the amount of \$1,025.77

State Liquid Fuels Account – Check 138 to 141 in the amount of \$4394.51

Total Expenses for this meeting – \$39,825.27

Dale Swope made a motion to pay the bills with exception of check 11272 and 11303, motion second by John Kintzer. Upon a roll-call vote, all three Board members cast a yes vote on the motion. John Kintzer made a motion to pay checks 11272 and 11303 payable to Swope's Garage, Ronald Whitmoyer second the motion, upon a roll call vote Ron and John cast a yes vote and Dale abstained.

Sewer Accounts  
Sewer Operation Account – \$13,311.49  
Balance in the Sewer Holding Account - \$14,351.63  
Debt Service Account - \$468,946.15

Payments of Bills in the Sewer Operation Account for this July 13, 2009 meeting are:  
Check 588 to 604 in the amount of \$14,406.29

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 9:33 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