

June 13, 2011 Board of Supervisors Meeting

Chairman Kintzer 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 John Kintzer, Rick Kramer, Ron Whitmoyer, Kathy Boltz, Chad Hepler, Lester Feick, Beth Auman, Gary Deck and other interested persons.

The meeting continued with the pledge to the American Flag.

PUBLIC HEARING ON RECEIPT OF AGRICULTURAL AREA APPLICATION

As required, a public hearing on the application received for Ag Security was called to order. William and Nancy Brown had submitted an application for their property located at 21 Temple Road, in the Effective Agricultural Preservation zoning district, consisting of 62.71 acres. The property meets all the requirements of Ag Security Act. Berks County Planning Commission, Tulpehocken Township Planning Commission, and the Ag Security Committee gave approval of the application. With no further comments from the Board or Public, Ron Whitmoyer made a motion to approve the application and sign the certificate entering the Brown's into the Ag Security Area. Rick Kramer second the motion, upon a roll call vote all three Board Members cast a yes vote, and the regular meeting was continued.

PUBLIC COMMENTS

Jake Derr asked the Board if there has been any consideration on the radios. The Board did not receive any figures from the Fire Companies.

APPROVAL OF MINUTES

Rick Kramer made a motion to approve the minutes from the May 9, 2011 Board of Supervisors meeting and May 31, 2011 Zoning Workshop. Ron Whitmoyer second the motion, upon a roll call vote all three Board Members cast a yes vote.

ADMINISTRATIVE ACTIONS

Planning Commission Recommendations to the Board

Camp Calvary – Planning Commission recommended accepting a time extension offer until September 13, 2011. Ron Whitmoyer made a motion to approve the time extension offer until September 13, 2011. Rick Kramer second the motion, upon a roll call vote all three Board Members cast a yes vote.

Martin Poultry Operation – Planning Commission granting the following waiver requests:

- Section 205, requiring a separate preliminary plan
- Section 303.1.B, governing tract boundary requires accurate boundary information
- Section 303.1.L, requires a certificate of accuracy signed by a surveyor
- Stormwater Section 311.F, requires storm sewer pipe material meet a 100 year life expectancy

Ron Whitmoyer made a motion to grant the waivers recommended by the Planning Commission. Rick Kramer second the motion, upon a roll call vote all three Board Members cast a yes vote.

Planning Commission recommended conditional final plan approval subject to the following outstanding conditions of the Ludgate Engineering review letter dated June 1, 2011:

1. The above waiver requests are granted
2. Stormwater Management Section 701. Performance Guarantee
3. Stormwater Management Section 702. Maintenance Responsibilities
4. Stormwater Management Section 703. Maintenance Agreement
5. Certificate of Ownership, Section 303.1.M, requires notarized signature of the record owner
6. Erosion and Sedimentation Pollution Control, Section 303.3 – provided evidence of approval from Conservation District for the proposed earth moving activities.

The Board discussed the outstanding conditions and the fact that they would like to have plans more final and less conditions at final approval. For this plan the agreements and escrows are in place for the construction and stormwater inspections. The plan is clean and approved by the Township Engineer and Solicitor. Ron Whitmoyer made a motion to conditionally approve the plan. Rick Kramer second the motion, upon a roll call vote all three Board Members cast a yes vote.

Little Swatara Church of the Brethren – Planning Commission Recommended granting waiver request from land development because the nature of the improvements creates a negative impervious area versus the existing impervious area prior to improvements. The waiver request is conditional upon an agreement between the township and the church with the following:

- Reference what additions are going to be done currently
- Any Future improvements will require a land development plan
- Document total impervious area
- Obtain zoning permit, building permit, and erosion and sedimentation that may be required

The Board discussed the conditions recommended by the Planning Commission. The first plan submitted by the Church did not have enough information to make the determination if land development was needed. After submitting a land development application the Planning Commission determined it not necessary and recommended waiving land development with the conditions of entering into agreements.

Ron Whitmoyer made a motion granting waiver of land development with the conditions set by the Planning Commission. Rick second the motion, upon a roll call vote Ron and Rick cast a yes vote and John cast a no vote due to the fact that he feels conditions should not be attached to the waiver.

Other – Planning Commission recommended the Board of Supervisors notify the applicant of Mount Aetna Village to change the name to another form due to the effect that there is already a Mount Aetna Village. The Board of Supervisors directed the township secretary to send a letter to Mr. Martin with the recommendation from the Planning Commission and that the Board of Supervisors is in agreement with the recommendation.

Zoning Hearing Application – Zoning Hearing Application was received from Jeremy and Maria Porter, 120 Winterville Road asking for relief of section 840, & 844, maximum yard requirements. Planning Commission has no recommendation to the Zoning Hearing Board. Ron Whitmoyer made a recommendation to the Zoning Hearing Board that the Board of Supervisors has no issues with the application; this is an irregular shaped lot. Rick Kramer second the motion, upon a roll call vote all three Board Members cast a yes vote. Township Secretary will send a letter of recommendation to the Zoning Hearing Board.

Solicitor Legal Discussions

Ron Whitmoyer asked the solicitor about papers received from DJ Book concerning E & E Self Storage. Solicitor commented that the papers were in agreement with what was discussed in the previous executive session held last month.

STAFF REPORTS

Police Report – Officer Hepler read the May 2011 Police report as follows:

Activity	Tulpehocken Twp.	Strausstown Borough	Marion Twp.
Miles Patrolled	2193	98	827
Gallons of Fuel	203	0	0
Hours of Work	450	20	60
Total Incidents	6	2	2
Complaints	11	0	7
Follow-up Investigations	4	0	0
Telephone Assignments	44	1	5
Comm/Residential to Alarms	1	0	3
EMS/Fire Advisory	13	3	8
Traffic Stops	33	2	10
Citations Issued	37	1	11
Non-traffic Citations	0	0	0
Traffic Warnings	6	1	0
Parking Tickets	0	0	0
Traffic Accidents	6	0	1
DUI Arrests	0	0	0
Misdemeanor/Felony	0	0	0
Security Checks	103	57	39
Police Assists	12	0	0
Motorists Assists	1	0	0
Court Appearances	3	0	0
School Hours	136	0	0

Officer Hepler commented there have been problems with landlord/tenants with in the Township and asked if the Board would consider looking into adopting an ordinance allowing the police to site the landlord if police are called to the residence after several occasions and that the landlord can evict. Township Solicitor commented that this is a possibility if the Board would take this into consideration. The Board agreed to review copies that will be submitted by the Solicitor.

Road Master's Report – Road Master, Lester Feick read the report for May 2011. The work consisted of highway mowing, road patching, cleaned wet wells at sewer pump stations, storm cleanup, sweep streets, and sign repair. Mr. Feick also commented that he is preparing a list of road projects to review with the Board at a later date. Also that the Township renewed the agility agreement with Penn Dot for liquid salt in exchange for mowing the grass at the intersection of route 501 and Rehrersburg Road.

There was discussion on the equalization pumps for the sewer. At this point the one is sluggish and clogging and it would be nice to have one on hand for when we are having problems. The Board decided to order a new one and have the old one repaired for a spare.

UNFINISHED BUSINESS

Financing of Police Vehicle – The Tahoe will be available earlier than anticipated and if the financing will be handled by Ford Motor Credit the application is due. John Kintzer commented that he will be meeting with First National Bank of Fredericksburg to discuss financing. The Board discussed financing option between Ford Motor Credit and local banks and decided to table the issue for time being. After more discussion on having to have the application complete for Ford Motor Credit, if the Board chooses financing with them, Ron Whitmoyer made a motion to go with whoever gives the best rate. Rick Kramer second the motion, upon a roll call vote all three Board Members cast a yes vote.

NEW BUSINESS

PA News Bulletin – The bulletin was free in the past, township received a bill for \$82.00 for a one year subscription. The Board decided not to pay the fee, all the information can be found on line.

Memorandum of Understanding from Berks County Conservation District – Conservation District has revised the Erosion & Sediment Control Memorandum of Understanding. Prior to closing and releasing escrow on a project the Conservation District has to be notified. Rick Kramer made a motion to authorize the Chairman to sign the Memorandum of Understanding. Ron Whitmoyer second the motion, upon a roll call vote all three Board Members cast a yes vote.

Fee Resolution for Tax Collecting – Mortgage companies are requiring the tax collector to provide documentation of the fees being charged for certifications, duplicates, trailers, and return check fees. The 2003-3 ordinance does not list the fees, currently the fees being charged are certification \$15, duplicate \$5, trailer \$2, and return check fee \$30. The Solicitor recommended amending the 2003-3 ordinance to set the fees and also that the fees can be changed by resolution. Ron Whitmoyer made a motion to authorize the Solicitor to prepare and advertise an amendment to add the tax collector fees and also that the fees can be changed by resolution. Rick Kramer second the motion, upon a roll call vote all three Board Members cast a yes vote.

CORRESPONDENCE

Flood Plain Ordinance – Flood Plain Ordinance is under review by the Planning Commission. Planning Commission had comments and edit, by next month it should be ready for authorization to send to FEMA.

FINANCIAL REPORT AND APPROVAL FOR PAYMENT OF BILLS

Account Balances for the end of May 2011 were as follows:

General Account	224,230.88
FNB Fredericksburg Holding Account	11,630.64
General Plus Account	198,496.39

State Aid Account	300.45
State Plus Account	147,761.43
Street Light Account	13,894.26

Payments of Bills for this June 13, 2011 meeting are:

General Account combined with the payroll account- Checks #12860 to #12896 in the amount of \$76,266.49
 Street Light Account – Check #290 in the amount of \$1,346.43
 State Liquid Fuels Account – Check #165 in the amount of \$21,046.00
 Camp Calvary Land Dev. Escrow – Check #130 to #131 in the amount of \$427.10
 Camp Calvary Inspection Escrow –
 Total Expenses for this meeting – \$99,086.02

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

Sewer Accounts
 Sewer Operation Account – \$72,242.26
 Balance in the Sewer Holding Account - \$3,054.79
 Debt Service Account - \$422,504.11

Payments of Bills in the Sewer Operation Account for this June 13, 2011 meeting are:
 Check #939 to #947 in the amount of \$83,565.20

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

ADJOURNMENT OF MEETING

At 8:28 p.m. Ron Whitmoyer made a motion to adjourn the meeting, which 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