

**Tulpehocken Township
Board of Supervisors
Meeting of March 10, 2021**

The Tulpehocken Township Board of Supervisors met on March 10, 2021 in the Township meeting room at 7 P.M. In attendance and voting were Supervisors: Chairman Gary Deck, Vice Chairman Richard Kramer and Lester Feick, Supervisor. Also present were Kris Kerschner, Police Chief and Christy Flaherty, Township Secretary/Treasurer.

Members of the audience included: Lori Deck, Harold Zimmerman, Jeffrey Zimmerman, Dennis Royer, John Zimmerman, Harry Reinhold, Robert Lebo and James Henke.

CALL TO ORDER

Chairman Deck called the meeting to order at 7:00 P.M.

The meeting continued with the pledge to the American Flag.

PUBLIC COMMENTS

Mr. Lebo inquired how to go about subdividing his property. Chairman Deck advised he would need to first appear before the Township's Planning Commission. Mrs. Flaherty provided Mr. Lebo the Planning Commission Secretary's information and the upcoming meeting dates.

APPROVAL OF MINUTES

Vice Chairman Kramer made a motion to approve the minutes from the February 10, 2021 Board of Supervisors meeting. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Vice Chairman Kramer made a motion to approve the minutes from the February 25, 2021 Board of Supervisors Joint Work Session. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

ADMINISTRATIVE ACTIONS

Planning Commission

Mountain Meadows Phase II: The following motions were made:

The following SALDO waivers have been requested:

- 1. Section 302.1. To allow plan scall of 1 inch = 75 feet. Waiver to allow 1 inch = 150 feet. This waiver request was granted in Phase I.***
- 2. Section 302.5.B.4. Vertical scale of profiles. This waiver request was granted in Phase I.***
- 3. Section 301.1. Slope of basin bottom. This section was under the old SALDO from when Phase II was initially submitted.***
- 4. Section 501.2.C.1.(e). Requires cartway of 36 feet if parking is proposed. Plan proposes 34 feet. This waiver request was granted in Phase I.***

5. **Section 502.1.L.(a). Length. Blocks shall have a minimum length of five hundred feet (500) and a maximum length of one thousand six hundred feet (1,600). Maximum length for this plan is two thousand five hundred feet (2,500). This waiver request was granted in Phase I. This section was under the old SALDO.**
6. **Section 502.1.M.1.(d). The depth of residential lots should not be less than one (1) or more than three (3) times their width. This waiver request was granted in Phase I. There are a handful of lots that this section would affect. This section was under the old SALDO.**
7. **Section 501.2.M.2.d. Lot width in excess of lot depth. This waiver request was granted in Phase I and under the old SALDO.**
8. **Section 602.3. Curbs. This waiver was granted in Phase I.**

Robert Sattazahn made a motion to recommend to the Board of Supervisors to grant the eight (8) waivers for the Sections listed above, seconded by John Zimmerman and approved unanimously.

Supervisor Feick made a motion to grant the eight (8) waivers as follows:

1. *Section 302.1. To allow plan scall of 1 inch = 75 feet. Waiver to allow 1 inch = 150 feet. This waiver request was granted in Phase I.*
2. *Section 302.5.B.4. Vertical scale of profiles. This waiver request was granted in Phase I.*
3. *Section 301.1. Slope of basin bottom. This section was under the old SALDO from when Phase II was initially submitted.*
4. *Section 501.2.C.1.(e). Requires cartway of 36 feet if parking is proposed. Plan proposes 34 feet. This waiver request was granted in Phase I.*
5. **Section 502.1.L.(a). Length. Blocks shall have a minimum length of five hundred feet (500) and a maximum length of one thousand six hundred feet (1,600). Maximum length for this plan is two thousand five hundred feet (2,500). This waiver request was granted in Phase I. This section was under the old SALDO.**
6. **Section 502.1.M.1.(d). The depth of residential lots should not be less than one (1) or more than three (3) times their width. This waiver request was granted in Phase I. There are a handful of lots that this section would affect. This section was under the old SALDO.**
7. **Section 501.2.M.2.d. Lot width in excess of lot depth. This waiver request was granted in Phase I and under the old SALDO.**
8. **Section 602.3. Curbs. This waiver was granted in Phase I.**

The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Robert Sattazahn made a motion to recommend conditional Preliminary Plan approval with the following conditions, seconded by John Zimmerman and approved unanimously.

- **The Township's Engineer's review letter dated February 28, 2021**
- **The developer, Mr. Louis Hurst will have a response to the Board of Supervisors for the March 10, 2021 meeting, on whether he agrees to the amount of fee in lieu and which option he would choose to accept.**

Supervisor Feick made a motion to grant conditional Preliminary Plan approval with the following conditions:

- *The Township's Engineer's review letter dated February 28, 2021*

- *The developer, Mr. Louis Hurst will have a response to the Board of Supervisors for the March 10, 2021 meeting, on whether he agrees to the amount of fee in lieu and which option he would choose to accept.*

The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Preliminary/Final Plan for John & Crystal Alspaugh: This plan is located at 401 Woleber Road and is primarily in Jackson Township, Lebanon County. The northeast corner of the property is located in Tulpehocken Township, Berks County. The plan does not affect Tulpehocken Township due to minimal disturbance.

Gary Deck made a motion to recommend to the Board of Supervisors to defer comments on the plan as it does not affect the Tulpehocken Township. Seconded by Robert Sattazahn and approved unanimously

Vice Chairman Kramer made a motion to defer comments on the Preliminary/Final Plan for John & Crystal Alspaugh due to the plan not affecting Tulpehocken Township. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Solicitor Legal Discussions

None.

Escrow Release

Mt. Meadows Phase I – The Township Engineer is recommending a partial release of LOC in the amount of \$144,287.26, leaving a balance of \$425,901.74

Vice Chairman Kramer made a motion to authorize the release of the LOC in the amount of \$144,287.26. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Correspondence from Zoning Officer

February – No update received

Land Development

Mt. Meadows – Sewage Planning Module – Motion to authorize completion of Component 3 form and to adopt Resolution 2021-6

Vice Chairman Kramer made a motion authorizing the completion of the Component 3 form and to adopt Resolution 2021-6. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

STAFF REPORTS

Police Report – Chief Kerschner read the February, 2021 Police report as follows:

ACTIVITY	TULPEHOCKEN	MARION
----------	-------------	--------

	TWP	TWP
MILES PATROLLED	2451	700
GALLONS OF FUEL	227.5	0
HOURS WORKED	367	60
PATROL HOURS	311.5	43.75
TULPEHOCKEN AREA SCHOOL DIST. HOURS	15.75	0
TOTAL INCIDENTS	3	0
TOTAL COMPLAINTS	5	3
MISCELLANEOUS CALLS FOR SERVICE	25	3
FOLLOW-UP INVEST	2	0
TELEPHONE ASSIGNMENTS	13	4
COMM/RESIDENTIAL ALARMS	2	1
EMS/FIRE ADVISORIES	21	5
TRAFFIC STOPS	1	0
CITATIONS ISSUED	0	0
NON-TRAFFIC CITATIONS	0	0
TRAFFIC WARNINGS	0	0
WARRANTS	0	0
PARKING TICKETS	0	0
TRAFFIC ACCIDENTS	7	2
DUI ARRESTS	0	0
MISDEMEANOR/FELONY	0	0
SECURITY CHECKS	58	44
POLICE ASSISTS	9	0
MOTORISTS ASSISTS	3	0
COURT APPEARANCES	2	0
SCHOOL HOURS	0	0

Chief Kerschner reported that during the month of February there were 94 calls received through Berks County 911.

The Board discussed Teen Challenge. Chief Kerschner reported there were approximately sixteen (16) calls in the month of February. Vice Chairman Kramer suggested contacting the Governor to advised on the number of calls received for the facility and the strain it puts on the tax payers. They also discussed the type of security the center has. Chairman Deck suggested requesting another meeting. Chief Kerschner advised he would send correspondence to the Governor.

Road Master's Report – Supervisor Feick read the February, 2021 report. The work consisted of snow events, p/u parts from EM Kutz, equipment repairs/maintenance, haul snow in Rehrersburg & Mt. Aetna, clear roadways, p/u parts, stock pile salt, sewer maintenance, check on road problem, check out radios, telephone calls, check road conditions, review plans for Lancaster Avenue Pump Station, work on truck radios, work in shop, plow drifts back, mix antiskid, take truck down to EM Kutz for repairs, wash equipment, plowing, sign maintenance, snow removal in Rehrersburg & Mt. Aetna, meeting w/Twp Engineer, and went for new tool box.

Supervisor Feick reported on the March 9, 2021 meeting with the Bridge Inspector and the minor work needing to be completed. He also discussed the maintenance work being done this week with

regards to cleaning up from snow plow damage to the side of the roadways. He advised that tires are needed for the service truck.

Vice Chairman Kramer made a motion to authorize the purchase of tires for the service truck thru Co-Stars. The motion was seconded by Chairman Deck and passed unanimously (3-0).

Mr. John Zimmerman inquired with regards to the repairs on Greble Road. Supervisor Feick advised that the Township is waiting to hear back from DEP.

Chairman Deck complemented the Road Crew for the great job they've done with regards to plowing.

Supervisor Feick also advised that the John Deere tractor needs front tires.

Vice Chairman Kramer made a motion to authorize the purchase of tires for the 2017 John Deere tractor for approximately \$500/per tire. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Fire Chiefs' Report – Supervisor Feick read the monthly reports for the Keystone Fire Company and the Rescue Fire Company.

SEWER OPERATIONS

Judgements and Delinquent Sewer Accounts

The Supervisors discussed sewer operations with regards to judgments and delinquent accounts.

501 Bar & Grill (7646 Lancaster Avenue) – Request to permanently waive the sewer user fees for the apartment – See memorandum dated March 4, 2021 with regards to the inspection that was conducted

Supervisor Feick updated the Board with regards to his inspection. The Board agreed that yearly inspections will be required and to credit the prepayments for the apartment (April, 2021 – December, 2021) towards the billing for the restaurant. They also discussed the waiver being voided and the property owner being back billed if it is found that they are using the apartment.

Supervisor Feick made a motion to permanently waive the sewer user fees for the apartment, to require yearly inspections, to credit the prepayments from April, 2021 thru December, 2021 to the restaurant billing and that the waiver will be voided/back-billed from April, 2021 if it is found that the apartment is being used. The motion was seconded by Chairman Deck and passed unanimously with Vice Chairman Kramer abstaining (2-0-1).

Supervisor Feick has spoken with Select Environmental Solutions, Inc. with regards to switching chemical provides – Supervisor Feick recommends continuing with the current provider Main Pool Chemicals

Supervisor Feick updated the Board on his conversation with Select Environmental Solutions. The Board agreed to continue using Main Pool Chemicals.

No updated with regards the refinancing the USDA loan refinancing – the Sewer Secretary is still working on

UNFINISHED BUSINESS

Update with regard to Mt. Meadows and a fee in lieu of land – see correspondence from Mr. Hurst and Solicitor Hartman dated March 8, 2021

The Board went into an *Executive Session* to discuss the matter. Upon returning the Board shared the proposal received from Mr. Hurst and the recommendation from the Township Solicitor as follows:

- a. Mr. Hurst's proposal = \$192,500
 - 40 lots @ \$1,500 = \$60,000 (permits already pulled)
 - Advance payment for 20 lots @ \$2,500 = \$50,000
 - Remaining 33 lots @ \$2,500 = \$82,500

- b. Township Solicitor's recommendation = \$212,500
 - 40 lots @ \$2,000 = \$80,000 (permits already pulled)
 - Advance payment for 20 lots @ \$2,500 = \$50,000
 - Remaining 33 lots @ \$2,500 = \$82,500

Chairman Deck updated the public with regards to the working relationship between the Developer and the Township; noting that these funds would be used for recreation.

Mr. John Zimmerman requested a copy of the correspondence. Mrs. Flaherty provided him correspondence showing both the proposal and recommendation.

Supervisor Feick made a motion to accept Mr. Hurst's proposal as follows for a total payment of \$192,500:

- 40 lots @ \$1,500 = \$60,000 (permits already pulled)
- Advance payment for 20 lots @ \$2,500 = \$50,000
- Remaining 33 lots @ \$2,500 = \$82,500

The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Update with regards to Recreation Space Planning – see correspondence from Wayne Bowen dated March 4, 2021 and March 8, 2021. Does the Board wish to make a motion to authorize Wayne to start the grant application? Application must be submitted by April 14th

Supervisor Feick made a motion authorize Wayne Bowen to start the DCNR grant application. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Update with regards to recreation actions items discussed at the February 25, 2021 Work Session:

- *Develop an agreement for leasing the Rehrersburg Lions Club property*
- *The Supervisors will have a discussion with Mr. Martin with regards to purchasing 3.3 acres*
- *The Supervisors will have a discussion with the Mt. Aetna Fire Company with regards to leasing the park*

- *Amend the SALDO to require dedicated land and recreation improvements for smaller developments of three (3) lots or greater*
- *Conference call with DCNR (Wayne, John & Chris) – Attorney Hartman noted that items needing to be addressed include the following: the length of the lease, can the Lions Club have reserve use rights, how to secure rights to acquire land and the type of grants available/required*

The Board agreed to reach out to Mr. Klopp for an updated with regards to leasing the Rehrersburg Lions Club property.

Chairman Deck reported that he has spoken with Mr. Martin regarding purchasing the two (2) lots adjacent to the Township lot on Lions Park Drive. The lots would be extended to the south in order to line up with the Township's lot. Mr. Martin advised that the Township should make him an offer. Chairman Deck will update the Township Engineer on the matter. The Board agreed that the Township needs to determine the value of the two (2) lots. It was also noted that Mr. Bowen should be made aware of the status.

Chairman Deck advised that he would reach out to the Mt. Aetna Fire Company with regards to leasing the park.

Vice Chairman Kramer made a motion to authorize the Solicitor to begin drafting documentation to amend the SALDO to require dedicated land and recreation improvements for smaller developments of three (3) lots or greater. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Mr. Zimmerman advised that the conference call with DCNR has not happened yet; still trying to schedule a time that will work for all parties.

Altalaha Church (3 Godfrey Street, Parcel #86441116746389) – The Township Engineer estimated his fee would be approximately \$800 for a three (3) lot subdivision review for subdividing the three (3) lots off and no new construction. The Township Solicitor advised that there would be no charge for their review of the subdivision plan.

Supervisor Feick advised that he hasn't heard anything from the Church.

Supervisor Feick made a motion authorizing the Township Secretary to send correspondence to the Church advising that the Township is interested in the fire dam parcel and would help with their costs at a negotiated price. The motion was seconded by Chairman Deck and passed unanimously (3-0).

NEW BUSINESS

Motion to accept Recreation Board member Shelley Derr's resignation letter. Would the Board like a notice placed on the Township website advising of the opening?

Vice Chairman Kramer made a motion to accept Ms. Derr's resignation from the Recreation Board. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

The Board agreed that a notice should be placed on the website advising of the opening. It was also suggested to contact the Fire Companies to post the notice on their signs.

Health Insurance Renewal – Capital Blue Cross Health Care renewal – the rate has increased approximately .55%

Mrs. Flaherty reported that the rate will be increasing by approximately .55% and noted that the policy covers Chief Kerschner and his family, Officer Hepler and Officer Dronick.

Supervisor Feick made a motion to authorize the Capital Blue Cross Health Care renewal for an increase of approximately .55%. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

CORRESPONDENCE

None.

OTHER BUSINESS

Rescheduling August 11th BOS meeting

The Board agreed to reschedule the August meeting to August 25, 2021 at 7 P.M.

Supervisor Feick made a motion to authorize and advertise that the August meeting is being rescheduled to Wednesday, August 25th at 7 P.M. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

VALIC Proxy Statement – Motion to authorize the Chairman to sign

Supervisor Feick made a motion to authorize Chairman Deck to sign the VALIC proxy statement. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Schedule meeting with the Police Officers to discuss the CBA

The Board suggested holding the meeting on Tuesday, April 20th or Wednesday, April 26th any time after 4 P.M. Chief Kerschner will present the dates to the other officers and get back to the Board.

FINANCIAL REPORT AND APPROVAL FOR PAYMENT OF BILLS

Account Balances for the end of February, 2021 were as follows:

General Account	\$ 4,103.51
First Citizens General Holding Account	\$ 38,696.24
General Plus Account	\$310,793.92
State Aid Account	\$ 211.90
State Plus Account	\$ 41,132.96
Street Light Account	\$ 14,274.16
Recreation Planning Escrow Account	\$ 9,231.98
Payroll Account	\$ 4.55

Payments of Bills for this March 10, 2021 meeting are:

General Account combined with the payroll account – Checks #20398 to #20432 in the amount of \$67,094.56
Street Light Account – Check #457 in the amount of \$1,191.72
State Liquid Fuels Account – Checks #220 & #221 in the amount of \$16,292.24
Recreation Fund – Check #108 in the amount of \$455.00
Camp Calvary Land Dev. Escrow –
Camp Calvary Inspection Escrow –
Village Estates Improvements Inspection Escrow –
Stormwater Inspection Escrow –
Total Expenses for this meeting – \$88,033.52

Vice Chairman Kramer motion to approve the payments of the bills for this March 10, 2021 meeting. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

Sewer Accounts balances for the end of February, 2021 were as follows:

Sewer Operation Account – \$393.42
Balance in the Sewer Holding Account - \$236,477.58
Debt Service Account - \$427,734.76

Payments of Bills in the Sewer Operation Account for this March 10, 2021 meeting are:
Check #2628 to #2637 in the amount of \$8,608.62

Vice Chairman Kramer made a motion to approve payment of the sewer bills. The motion was seconded by Supervisor Feick and passed unanimously (3-0).

ADJOURNMENT OF MEETING

Supervisor Feick made a motion to adjourn the meeting at 8:30 P.M. The motion was seconded by Vice Chairman Kramer and passed unanimously (3-0).

Respectfully Submitted,
Christy Flaherty
Secretary, Tulpehocken Township