

October 14, 2013 Board of Supervisors Meeting

Chairman Gary Deck called the regular meeting of the Township Board of Supervisors to order at 7:02 p.m. in the Tulpehocken Township Municipal Building. Those attending the regular monthly meeting were Gary Deck, Rick Kramer, John Zimmerman, Kathy Boltz, Michelle Mayfield, Kris Kerschner, Lester Feick, and other interested persons.

The meeting continued with the pledge to the American Flag.

PUBLIC COMMENTS

Tony Wenger who lives along Wintersville Road commented that the shoulders of the road had been cut back and created a 6" drop on his property. Chairman Gary Deck agreed that if in a lawn area we should keep it able to be mowed. The Road Master commented that to fix the drop off it would go beyond the Right-of-way. The Board will look at it.

Eugene Umbenhauer asked why a township truck was used to pull the Hazmat trailer. The Rehrersburg Fire Chief replied that the Hazmat trailer must be towed by a Government Vehicle because it is owned by the county. This was done for a fatal crash on route 183. The trailer was called after all fire trucks were called out, so the Fire Chief asked the Township to bring the trailer. Mr. Umbenhauer asked if the volunteer Firemen are punching out or is the Township paying them to respond to fire calls. It was discussed that they are punching out and they are not being paid for time spent on fire calls.

APPROVAL OF MINUTES

John Zimmerman made a motion to approve the September 9, 2013 minutes with the correction of the motion made by Rick Kramer to authorize the Solicitor to draft an amendment to the Omnibus Ordinance adding the two stop signs and the no parking areas in the villages as per the list provided by the Road Master and Police Chief and to authorize the Township Engineer to do a traffic study at the French Alley and Tanner Street intersections, was second by John Zimmerman. Rick Kramer second the motion, upon a roll call vote all three Board Members cast a yes vote.

ADMINISTRATIVE ACTIONS

Planning Commission Recommendations to the Board

Martin Farm Annexation – Planning Commission recommended the Board grant a 91 day time extension. John Zimmerman made a motion to grant the 91 day time extension. Rick Kramer second the motion, upon a roll call vote, all three Board Members cast a yes vote.

Shoestring Industries Subdivision – Planning Commission recommended the Board accept a time extension to February 11, 2014. The Board discussed that they are not happy with the way the banks have been cut and left go. John Zimmerman made a motion to accept the time extension until February 11, 2014. Rick Kramer second the motion, upon a roll call vote all three Board Members cast a yes vote.

Steve Martin Tract Final Land Development Plan – This tract of land is partially in Jackson and Tulpehocken Townships. All the improvements are in Jackson Township and the driveway is in Tulpehocken Township. Planning Commission recommended the Board defer review of this plan under the following conditions:

- Obtain a driveway permit from Tulpehocken Township
- Tulpehocken Township Engineer review the stormwater management report and be satisfied with the findings
- Submit a letter to the Tulpehocken Township stating that the applicant will pay for Solicitor and Engineer review fees

Rick Kramer made a motion to defer review with the conditions recommended by the Planning Commission. John Zimmerman second the motion, upon a roll call vote all three Board Members cast a yes vote.

Solicitor Legal Discussions

Manegold Property, 28 Church Street Rehrersburg – There is a civil complaint for unpaid sewer judgment filed, a citation for weeds, and the building code posted the building for unsafe structure and was posted. The Solicitor recommended the township mow the property; there will be a lien filed for the costs. The Board directed the Township secretary to notify the building code official when the grass is cut and that the Board does want the buildings demolished if the structure is unsafe.

E & E Self Storage – The Solicitor notified the Board that a judgment was filed against the owners in 2011 for approximately \$10,490.00 for unpaid Land Development fees. The owners have filed bankruptcy therefore a proof of claim should be filed in the bankruptcy. John Zimmerman made a motion to lien the property if it has not been liened for the amount of the claim. Rick Kramer second the motion, upon a roll call vote all three Board Members cast a yes vote. John Zimmerman made a motion to file the proof of claim in the bankruptcy. Rick Kramer second the motion, upon a roll call vote all three Board Members cast a yes vote.

NEW BUSINESS

Village Estate/Mt Aetna Village – The Highway Occupancy Permit Condition Statement (Transfer of driveway permit to Municipality upon dedication and acceptance as Local Road or Street) has been submitted to the Board for signature. The Township Engineer has not received the most up-to-date PennDot plan for review and the Engineer recommended not signing the Statement until he received and reviews the PennDot plan. Mr. Martin will submit the most recent PennDot plan for review.

Mr. Martin also inquired about paying the tapping fees and when and how user fees will be charge for the development as it is being built. The Board suggested Mr. Martin propose an agreement option on paying EDU user fees while the project is being built.

Rezoning Request – Larry Dean Martin is requesting a zoning district and boundary change for a 115.36 acre tract currently owned by Robert and Janice Conner (Gettel Acres), the changes would allow him to construct an agricultural operation on the property. The application must be submitted to the Berks County Planning Commission and Tulpehocken Township Planning Commission for review and comment 30 days prior to the hearing. Rick Kramer made a motion to authorize the Solicitor to advertise the rezoning hearing to be held on December 5, 2013 at

5:00 p.m. which is prior to the Tulpehocken Township Planning Commission meeting. John Zimmerman second the motion, upon a roll call vote all three Board Members cast a yes vote.

Mt Aetna Mennonite School – The Maintenance and Improvements Agreements have been signed and financial security has been posted and the Stormwater Maintenance Agreement has been signed and escrow posted. The EDU Purchase Agreement along with the tapping fees in the amount of \$5,890.56 has been received too. Rick Kramer made a motion to authorize the Chairman to sign all three Agreements. John Zimmerman second the motion, upon a roll call vote all three Board Members cast a yes vote.

STAFF REPORTS

Police Report –Chief Kerschner read the September 2013 Police report as follows:

Activity	Tulpehocken Twp.	Marion Twp.
Miles Patrolled	2669	976
Gallons of Fuel	250.5	0
Hours of Work	463	60
Total Incidents	4	3
Complaints	14	4
Follow-up Investigations	3	2
Telephone Assignments	31	17
Comm/Residential to Alarms	0	5
EMS/Fire Advisory	10	4
Traffic Stops	35	10
Citations Issued	32	10
Non-traffic Citations	1	0
Traffic Warnings	2	0
Warrants	0	0
Parking Tickets	0	0
Traffic Accidents	2	1
DUI Arrests	0	0
Misdemeanor/Felony	0	0
Security Checks	57	26
Police Assists	17	0
Motorists Assists	2	0
Court Appearances	2	1
School Hours	0	0

Chief Kerschner reported to the Board the quotes for a new police cruiser as follows:

- 2014 Chevy \$33,418
- 2014 Taurus \$33,985
- 2014 Dodge Charger \$33,909.

Chief Kerschner would prefer the Chevy; it has a better warranty, more equipment, and has more room in the interior of the car. There is a six month waiting period once the order is made. Rick made a motion to authorize the Police Chief to order the new 2014 Chevy police cruiser. John Zimmerman second the motion, upon a roll call vote all three Board Members cast a yes vote.

Someone had approached Chief Kerschner about catching pigeons in the salt shed. The Solicitor recommended a waiver of liability be signed by the person. The Chief will draft a waiver for the Solicitor to review.

Road Master's Report – Lester Feick read the September 2013 report. The work consisted of two sewer callouts, normal maintenance, clean gutters on Wintersville Road, highway mowing, worked on loader, line painting, painted gas tank, work was done on Gravel Pit Road, worked on shoulders of Teen Challenge Road, and trimmed trees on Witman Road.

Line painting will be done soon and some macadam work across from Mancino's in Mt Aetna and around a man hole.

The International is going to Midway Truck Service for new pins for the spring shackles. The small dump truck is going to need a new tire for inspection and a front end alignment. Rick Kramer made a motion to get the truck inspected and tire alignment at custom exhaust. John Zimmerman second the motion, upon a roll call vote all three Board Members cast a yes vote.

The price for two new tires for the John Deer tractor, the current ones are bald. It was discussed to get prices from Zimmerman Farm service and Custom Exhaust for radial tire.

Fire Chiefs Report – Lester Feick submitted and read the September Fire Chiefs report.

SEWER OPERATIONS

David Alspaugh is requesting a repeal of sewer user fees for two properties at 22 Maria Street, Rehrersburg that have been vacant since July 1, 2013 and August 1, 2013. The Board decided and agreed that Mr. Alspaugh shall pay until January 1, 2014 and February 1, 2014 and then resubmit a request on these dates. The Board directed the Sewer Service Secretary to send a letter to Mr. Alspaugh and include a copy of the Rules and Regulations.

Amnesty Update/Delinquent Accounts

Mervin Zimmerman – Mervin Zimmerman is requesting payment plan for delinquent sewer user fees. The payment plan he offered to the Board will extend longer than 30 months. The Board denied the offer and suggested Mr. Zimmerman resubmit a payment plan that will not extend past 30 months while staying current with the sewer fees.

Judgments and Delinquent Sewer Accounts – None of the residents showed for the hearing for judgment on the delinquent sewer accounts. The Solicitor reminded the Board to think about the next step in transferring judgments to a sheriff sale.

I was also discussed that the residents who are three quarters behind will have a civil action filed against them as per the rules. The Board directed the Sewer Service Secretary to keep them up-to-date on the payment plans that have entered agreement with the Township and if any payments are missed.

UNFINISHED BUSINESS

Employee Handbook – The employee handbook was revised as per last executive session. Rick Kramer made a motion to approve the Handbook. Gary Deck second the motion, upon a roll call vote all three Board Members cast a yes vote.

Fire Ancillary Resolution – Tabled until next meeting to provide time for the Mt Aetna Fire Chief to review the resolution.

Amended Omnibus Traffic Ordinance – The Ordinance was revised to add no parking and stop intersections. Gary Deck made a motion to authorize the Solicitor to advertise the ordinance for adoption at the November 11, 2013 meeting. Rick Kramer second the motion, upon a roll call vote all three Board Members cast a yes vote.

CORRESPONDENCE

Berks Partnership Breakfast – The municipal breakfast meeting for municipal government official of Berks County is being held on October 25th at the Ontelaunee Grange in Leesport. None of the Board Members are able to attend.

Fire Police Coverage Request – Jefferson Township has requested Fire Police coverage for an event at the Tulpehocken Area High School for Homecoming Activities on October 4th from 1700 hours till 2200 hours. Rick Kramer made a motion to ratify the authorization of the Fire Police to attend the Homecoming Activities at the Tulpehocken Area High School. Gary Deck second the motion, upon a roll call vote all three Board Members cast a yes vote.

Rick Kramer made a motion to authorize Fire Police coverage from Rehrersburg and Mt Aetna Fire Companies for the Myerstown Borough Holiday Parade on November 30. John Zimmerman second the motion, upon a roll call vote all three Board Members cast a yes vote.

John Zimmerman made a motion to authorize Fire Police coverage from Mt Aetna Fire Company for the Hamburg King Frost Parade on October 26th and to authorize the Chairman to sign the agreement. Rick Kramer second the motion, upon a roll call vote all three Board Members cast a yes vote.

FINANCIAL REPORT AND APPROVAL FOR PAYMENT OF BILLS

Account Balances for the end of September 2013 were as follows:

General Account	\$61,311.44
FNB Fredericksburg Holding Account	\$155,478.22
General Plus Account	\$198,711.17
State Aid Account	\$473.04
State Plus Account	\$149,371.03
Street Light Account	\$10,284.39

Rick Kramer made a motion to approve the payments of the bills for this October 14, 2013 meeting. John Zimmerman second the motion, upon a roll call vote all three Board Members cast a yes vote.

Payments of Bills for this October 14, 2013 meeting are:

General Account combined with the payroll account- Checks #14656 to #14689 in the amount of \$75,289.62
Street Light Account – Check #319 in the amount of \$1,079.44
State Liquid Fuels Account – Check #178 in the amount of \$149,245.78
Camp Calvary Land Dev. Escrow – Check #148 in the amount of \$93.00

Camp Calvary Inspection Escrow – Check #105 in the amount of \$357.72
Village Estates Improvements Inspection Escrow –
Stormwater Inspection Escrow –
Total Expenses for this meeting – \$226,065.56

Sewer Accounts balances for the end of September 2013 are as follows:

Sewer Operation Account – \$28,109.26
Balance in the Sewer Holding Account - \$39,982.91
Debt Service Account - \$402,952.81

Payments of Bills in the Sewer Operation Account for this October 14, 2013 meeting are:
Check #1317 to #1330 in the amount of \$8,235.91

John Zimmerman 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 10:27 p.m. Rick Kramer made a motion to adjourn the meeting, which was second by John Zimmerman. 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