

**Tulpehocken Township
Board of Supervisors
Meeting of August 10, 2022**

The Tulpehocken Township Board of Supervisors met on August 10, 2022, in the Township meeting room at 7 P.M. In attendance and voting were Supervisors: Chairman Gary Deck, Vice Chairman Lester Feick and Supervisor Harold Zimmerman. Also present were Chad Hepler, Patrolman; Kathy Judy, Township Secretary/Treasurer and Michelle Mayfield, Township Solicitor.

Members of the audience included Christy Flaherty, Pat Flaherty, Margo McQuate, Paul McQuate, Luanne Curry Reese, John Sheaffer and Jeffrey Zimmerman.

CALL TO ORDER

Chairman Deck called the meeting to order at 7:02 P.M.

The meeting continued with the pledge to the American Flag.

PUBLIC COMMENTS: Mr. & Mrs. Flaherty were present to ask why the board is requesting to be reimbursed for vacation time paid to Mrs. Flaherty at the time of her resignation and to ask the Board to withdraw their request. Mr. & Mrs. Flaherty discussed with the board their interpretation of the Employee Vacation Policy and how it is written in the Employee Handbook, stating that how vacation is earned and also labeled as accrued, it would not be subject to proration. They also stated that vacation time was not prorated for former Police Secretary Lane and former Police Chief Kerschner and that they were paid their full vacation time at the time of their resignations. The Township Solicitor stated that because the Police Contract & Collective Bargaining Agreement has no proration schedule, the Chief was entitled a full pay out of unused earned vacation time. Mrs. Flaherty asked the Board to think about it and let her know. The Board advised that they will discuss it in Executive Session later in the meeting, come out and make any motions that are required and notify Mrs. Flaherty of the decision.

Pat Flaherty verbally submitted resignation from his Road Crew position and handed in his building key.

A member of the audience requested discussion of agenda item 10a, Complaints against 64 Hillcrest Lane, be moved forward and discussed at this time.

- Eight Citizen Complaint Forms for excessive target shooting were addressed. Following review of the complaints, and discussion with the audience and Township Solicitor, the Board agreed to first try to call and have a conversation with the property owner. Should communication not result in an outcome, the matter would be referred to the Zoning Officer for action. *Supervisor Zimmerman made a motion to authorize Zoning Enforcement Action be taken if the Board of Supervisors is unsuccessful in getting a response from the property owner in two weeks - - seconded by Vice Chairman Feick and passed unanimously (3-0)*
- Two complaints regarding high weeds and grass at the property were discussed. If the property appears to be in violation the matter will be referred to the Zoning Officer.

- Two complaints regarding the right of way maintenance and one for the mailbox were discussed. The Board advised that these were civil matters that the Township could not address.

APPROVAL OF MINUTES

Vice Chairman Feick made a motion to approve the minutes from the July 10, 2022 Board of Supervisors meeting - - seconded by Supervisor Zimmerman and passed unanimously (3-0).

ADMINISTRATIVE ACTIONS

Personnel: On July 28, 2022 Tyler Fields submitted a letter of resignation as Township Auditor. *Vice Chairman Feick made a motion to accept Tyler Fields' resignation - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

Planning Commission updates / recommendations:

Lanita Specialized, 7630 Lancaster Avenue A Waiver of Land Development was applied for and reviewed by the Planning Commission and Township Engineer. In accordance with the recommendation passed by the Planning Commission on August 3, 2022, *Vice Chairman Feick made a motion to grant the Waiver of Land Development with the conditions of putting in grease traps and E & S Controls - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

Capitol City Remodelers A request for a time extension for approval of the Capitol City Remodelers Land Development Plan was received. In their letter dated July 26, 2022, Burget & Associates, Inc. requests a time continuance until the November 2022 Board of Supervisors Meeting. In accordance with the recommendation passed by the Planning Commission on August 3, 2022, *Vice Chairman Feick made a motion to accept the time extension until the November 3, 2022 - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

Solicitor Legal Discussions: Ms. Mayfield asked the Board if there was any discussion or action to be made regarding a resolution for notification procedures for removal of trees. She recommended that the Board consider the Resolution authorizing the Township to take down trees if it sees there is a hazard; so that if when a tree does need to be taken down; the Township has an already established procedure to follow. The Board is not taking any action at this time and will continue to look into and consider the matter.

Escrow Release: None

Correspondence from Zoning Officer: July, 2022 Update. The Zoning Officer addressed the:

1. Geist property (231 Godfrey Street). High weeds in the front and side were cut, but it looks like there are still some areas that need to be finished – keep complaint open and will recheck.
2. Stoltzfus property (4 Deck Road). Grass was cut – complaint closed.
3. Knipple property (22 West Market Street). There are still a few high weeds but most of the high vegetation looks like buffer plantings – violation closed but will keep an eye on the site.

4. R. Kennedy property (7642 Lancaster Avenue). Although the letter was returned, the owner was contacted. The owner said that he has been taking some down each day. He is a senior citizen and in the hot weather can only do a little at a time. The weeds had been over three foot tall around all sides of the property. A lot has been done; there is still a bunch to don - keeping complaint and violation open.
5. Fedora property (5 Mill Road). The camper was removed from the property – complaint closed.
6. Kline property (21 Rehrersburg Road). No response from first letter. A Notice of Violation has been sent – complaint and violation remain open.

STAFF REPORTS

Police Report – Patrolman Hepler read the July, 2022 Police Report as follows:

ACTIVITY	TULPEHOCKEN TWP.	MARION TWP.
MILES PATROLLED	2183	760
GALLONS OF FUEL	247.5	0
HOURS WORKED	430	60
PATROL HOURS	287.25	60
TULPEHOCKEN AREA SCHOOL DIST. HOURS	0	0
TOTAL INCIDENTS	4	4
TOTAL COMPLAINTS	11	6
MISCELLANEOUS CALLS FOR SERVICE	7	3
FOLLOW-UP INVEST	2	0
TELEPHONE ASSIGNMENTS	16	3
COMM/RESIDENTIAL ALARMS	1	0
EMS/FIRE ADVISORIES	26	17
TRAFFIC STOPS	32	12
CITATIONS ISSUED	24	11
NON-TRAFFIC CITATIONS	0	0
TRAFFIC WARNINGS	9	3
WARRANTS	1	0
PARKING TICKETS	0	0
TRAFFIC ACCIDENTS	5	2
DUI ARRESTS	0	0
MISDEMEANOR/FELONY	0	0
SECURITY CHECKS	28	24
POLICE ASSISTS	17	0
MOTORISTS ASSISTS	1	1
COURT APPEARANCES	1	0
SCHOOL (TRAINING) HOURS	0	0

Patrolman Hepler reported that during the month of July there were 163 calls received through Berks County 911 for police service; noting that eleven (11) of those were for Teen Challenge.

Supervisor Zimmerman made a motion to ratify the purchase of Stop-Sticks for \$515.00 and a rifle for \$386.05 - - seconded by Vice Chairman Feick and passed unanimously (3-0).

The Tulpehocken Area School District would like to know what the hourly rate for Police Services will be in 2023. The Board discussed what information it needs to help determine the rates for 2023. The Secretary will gather and supply the information for the Board.

Agenda item 6.a.3., Police Officer – will be discussed at Executive Session.

Roadmaster Report – Vice Chairman Feick read the July, 2022 report. The work consisted of meter readings, monthly sewer maintenance, highway mowing, one sewer call, working on Witman Road, attended settlement for the fire dam, tree trimming on Witman Road, work in the shop, took care of a water condition on Parkside Inn Road, removed two old cast iron signs for repainting by a volunteer in the community, sewer inspections including at four or more inspections at Dutch Valley, traffic control for an accident, blacktop in town at the Fire Company, used camera to check a storm water pipe for Upper Tulpehocken, road patching and painting at the pump station.

Fire Chiefs' Reports – Vice Chairman Feick read the monthly reports for the Keystone Fire Company and the Rescue Fire Company.

SEWER OPERATIONS

Judgements and Delinquent Sewer Accounts: The Solicitor advised the Board that there are several accounts being looked into.

Price updates. The Board reviewed a notice from Suburban Testing Labs regarding a 12% increase in rates.

Update regarding the generator: The generator has been ordered from Powerton Generators and the down payment was made. It will take approximately 22 weeks for delivery.

Update – Church Street repairs: Vice Chairman Feick advised that the work is underway and gave an update on the progress.

Update – Mt. Aetna Force Main: All of the work is done. We are still waiting on the permit from DEP to initially start that Pump Station.

UNFINISHED BUSINESS

Paving Project: Vice Chairman Feick advised that the work is done. H&K submitted a pencil copy of billing. Vice Chairman Feick will consult with PennDOT liaison to review everything.

Lions Club: The Lions Club met on August 4, 2022 and voted to approve the Real Estate Agreement. *Chairman Deck made a motion to approve and sign the Real Estate Agreement - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

Vice Chairman Feick made a motion to authorize the Solicitor to make arrangements for settlement and to authorize an available Supervisor to attend settlement and sign closing documents - - seconded by Supervisor Zimmerman and passed unanimously (3-0).

Laser Printer: The Board was presented with price quotes received from SmartGuys for two laser printers and what their recommendations were. *Vice Chairman Feick made a motion to authorize the purchase of the HP monochrome printer quoted - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

NEW BUSINESS

Berks County Conservation District Memorandum of Understanding – *Vice Chairman Feick made a motion to authorize Chairman Deck to sign the Memorandum of Understanding - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

CORRESPONDENCE

Upcoming Training and Meetings – No action at this time.

OTHER BUSINESS

ATVs on Township Roads: There was discussion regarding ATVs being used for transportation to work at local farms. Patrolman Hepler advised that travel on public roads, including for transportation purposes would be illegal and they could be subject to arrest.

FINANCIAL REPORTS AND APPROVAL FOR PAYMENT OF BILLS:

Account Balances for the end of July, 2022 were as follows:

General Account	\$ 4,386.25
First Citizens General Holding Account	\$ 197,533.62
General Plus Account	\$ 218,717.36
State Aid Account	\$ 7.05
State Plus Account	\$ 159,921.80
Street Light Account	\$ 31,611.00
Recreation Fund – Class Account	\$ 18,958.85
Recreation Fund – Prime Account	\$ 110,417.39
Recreation Planning Escrow Account	\$ 468.27
Payroll Account	\$ 15,144.24
American Rescue Plan Account	\$ 181,592.14

Payments of Bills for this August 10, 2022 meeting are:

General Account – Checks #21135 - 21171 in the amount of \$17,300.35

Street Light Account – Check #473 in the amount of \$1,412.54

Total expenses for this August 10, 2022 Meeting are \$18,712.89

Supervisor Zimmerman made a motion to approve the payment of bills for this August 10, 2022 meeting - - seconded by Vice Chairman Feick and passed unanimously (3-0).

Sewer Accounts balances for the end of July, 2022 were as follows:

Sewer Operation Account: \$7,891.92

Balance in the Sewer Holding Account: \$297,098.77

Debt Service Account: \$429,414.96

Expenses for this meeting: \$20,570.27

Supervisor Zimmerman made a motion to approve the payment of bills for this August 10, 2022 meeting - - seconded by Vice Chairman Feick and passed unanimously (3-0).

Before the Board went to Executive Session, Mrs. Flaherty addressed the Board asking if, at the July meeting, the June minutes were approved with no corrections, and advised of corrections needed.

EXECUTIVE SESSION

At 9:30 PM the Board of Supervisors called an executive session to discuss personnel and other matters.

The Board returned from Executive Session at 10:21 PM

Vice Chairman Feick made a motion to amend the agenda to include vacation pay - - seconded by Supervisor Zimmerman and passed unanimously (3-0).

Supervisor Zimmerman made a motion that the Board is not going to pursue, and withdraws its request for reimbursement from Christy Flaherty for vacation hours paid at the time of her resignation - - seconded by Vice Chairman Feick and passed unanimously (3-0).

Police Officer: *Vice Chairman Feick made a motion to schedule and advertise a Special Meeting of the Board of Supervisors to be held on August 17, 2022 at 4:00 PM, pending that all parties are available, final determination to be made Monday, August 15, 2022.*

ADJOURNMENT OF MEETING

Supervisor Zimmerman made a motion to adjourn the meeting at 10:28 P.M. - - seconded by Vice Chairman Feick and passed unanimously (3-0).

Respectfully Submitted,
Kathy Judy, Secretary
Tulpehocken Township