

**Tulpehocken Township
Board of Supervisors
Meeting of October 12, 2022**

The Tulpehocken Township Board of Supervisors met on October 12, 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 Michelle Mayfield, Township Solicitor; Bryan Dronick, Police Chief and Kathy Judy, Township Secretary/Treasurer.

Members of the audience included Robert Sattazahn, Richard Klopp, Brian Haag and Harold Case, Jr.

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: None.

APPROVAL OF MINUTES

Vice Chairman Feick made a motion to approve the minutes from the September 14, 2022 Board of Supervisors Meeting - - seconded by Supervisor Zimmerman and passed unanimously (3-0).

Vice Chairman Feick made a motion to approve the minutes from the September 19, 2022 Preliminary 2023 Budget Meeting - - seconded by Supervisor Zimmerman and passed unanimously (3-0).

ADMINISTRATIVE ACTION

Personnel:

Promotion of Lawrence Ludwig – *Supervisor Zimmerman made a motion to ratify the promotion of Lawrence Ludwig to Patrolman I effective Monday, September 19, 2022 - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

Lock and key authorization – *Supervisor Zimmerman made a motion to approve Lester Feick and Kathy Judy as persons authorized to have keys made and approve that a letter be sent to the Locksmith notifying him that Christy Flaherty is to be removed and that those authorized to have keys made has been changed to Gary Deck, Lester Feick and Kathy Judy - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

Planning Commission recommendations:

Harold Case, 54 Midway Road: Preliminary/Final Plans have been submitted. At the October 6, 2022 Planning Commission Meeting the Planning Commission reviewed the numerous waivers being requested and other items that need to be addressed.

In accordance with the recommendation passed by the Planning Commission on October 6, 2022:

- *Vice Chairman Feick made a motion to grant the waiver of Section 206 requirement to submit preliminary plans prior to final plans - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*
- *SALDO and survey requirements (Sections 302.3D, 303.1B, 303.1H, 303.1L and 501.2.M.4.b.), Vice Chairman Feick made a motion to grant the waivers with the condition that three monuments be installed and the rest be waived. The locations for the three to be installed are to be: TWO along the frontage (one at the corner on the right of way line for Midway Road and the other at the lot jog) - and ONE at the southernmost corner - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*
- *Section 501.2C.1, Vice Chairman Feick made a motion to grant the waiver with the condition that there is paving of the driveway entrance to 20 feet from the edge of the paved cart way - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*
- *Section 602.3, Supervisor Zimmerman made a motion to grant the waiver and not require curbing - - seconded by Vice Chairman Feick and passed unanimously (3-0).*
- *Section 602.4, Supervisor Zimmerman made a motion to grant the waiver and not require a sidewalk - - seconded by Vice Chairman Feick and passed unanimously (3-0).*
- *Section 602.11 & 602.12, Landscape Plan and Buffer, Supervisor Zimmerman made a motion to grant the waiver with the condition that either a three foot high fence be installed along the front of the property or a signed release from the neighbor be obtained - - seconded by Vice Chairman Feick and passed unanimously (3-0).*
- *Section 502.1.M.3.b. Paved parking area, Supervisor Zimmerman made a motion to grant the waiver with the condition that 2A stone is installed throughout the parking area - - seconded by Vice Chairman Feick and passed unanimously (3-0).*
- *Additional items to address, Supervisor Zimmerman made a motion to approve the plans once all of the conditions for the above waivers have been met, all of the items in the Engineer's letter dated 10/6/22 have been satisfied, once the cost estimate has been added to the plans and once a Storm Water Operation Maintenance Agreement is executed and escrow received - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

Ralph Brensinger, 10 Summer Mountain Road. A Zoning Appeal Application was received for a dimensional variance requesting the setback requirement be reduced from 30 feet to 15 feet. The Zoning Board hearing is scheduled for October 18, 2022. *Supervisor Zimmerman made a motion to state for the record that the Board of Supervisors has no position or recommendation to make - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

Solicitor Legal Discussions

Application for Intermunicipal Liquor License Transfer. The Township received a request to transfer a liquor license from outside of the Township, into the Township. Ms. Mayfield advised that under the PLCB Regulations and Code the Township has to conduct a hearing on the request and advised as to what the advertising requirements are. Once the completed application is received back the hearing will need to be advertised. The hearing

could be held at the November 9th or December 14th Board of Supervisors Meeting, depending on when the completed application is received. *Vice Chairman Feick made a motion to authorize the Township Solicitor to advertise the hearing once the application is received back and the date can be determined - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

Escrow Release

1. **Ben Schueller Poultry Operation** – The Township Engineer recommends releasing the remaining escrow and closing the account. *Supervisor Zimmerman made a motion to authorizing the full release of Mr. Schueller’s funds - - seconded by Vice Chairman Feick and passed unanimously (3-0).*
2. **William & Nancy Smeltzer, Shoestring Industries Subdivision** – The balance of the LOC is currently \$139,323.80. The Township Engineer is recommending releasing \$50,304.10, leaving a balance of \$89,019.17. *Vice Chairman Feick made a motion to authorize the release of \$50,304.10 of Shoestring Industrie’s LOC – seconded by Supervisor Zimmerman and passed unanimously (3-0).*
3. **Cherry Hill Mennonite School** – The Township Engineer recommends releasing \$94,518.00, leaving a balance of \$8,382.00 to remain in escrow. *Vice Chairman Feick made a motion authorizing the release of \$94,518.00 of Cherry Hill Mennonite School’s funds - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

Correspondence from Zoning Officer

September Update:

1. 22 West Market Street – The grass has been mowed and the complaint addressed.
2. 7642 Lancaster Avenue – The backyard was cut as well. It is starting to get a little high again but is not over the height of our ordinance. We are near the end of the season, therefore, unless it grows significantly, this is being considered addressed. May need to revisit next mowing season.

Land Development

1. Village Estates Street Light Agreement

They want to install the Street Lights however Met Ed is requiring the Township to be the applicant. The Township Solicitor has prepared Agreements setting forth the conditions for the Township being the applicant. Leonard Martin has signed the Agreement, provided a map showing the location of the street lights (exhibit A) and a form to be returned to Met Ed. *Supervisor Zimmerman made a motion to authorize the execution of the Agreement, having the Chairman sign it and providing Leonard the form for Met Ed - - seconded Vice Chairman Feick and passed unanimously (3-0).*

2. Mountain Meadows Roads Agreements, Dedication and Resolution

There are four Agreements that have been drafted for review:

- a. Snow Removal Agreement for Phase II. The amount the Township will charge needs to be determined and put into the Agreement. After some discussion,

Supervisor Zimmerman made a motion for the fee to be \$100 per plowing and for that amount to be added to the Agreement - - seconded by Vice Chairman Feick and passed unanimously.

- b. Maintenance Agreement of Phase I Post Acceptance of Dedication. This Agreement addresses responsibility for any damage to Phase I as a result of the construction in Phase II.
- c. Dedication of Phase I Streets
- d. Resolution accepting the Deed of Dedication

No action is being taken at this time. There are some outstanding items the Township Engineer is waiting for.

Recreation Board

Two Vacant Seats – Brian Haag has submitted a letter of interest. *Vice Chairman Feick made a motion to accept Brian Haag as a member of the Recreation Board filling the vacant seat for the 2022-2026 term - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

Supervisor Zimmerman knows of a resident that may be interested; he'll follow up and recommend that the individual submit a letter if still interested. It was stated that any resident interested in filling the vacancy on the Recreation Board should submit a letter of interest and is encouraged to attend the Recreation Board Meeting.

Update regarding Lions Club property – Settlement was on October 3, 2022

Insurance, Utilities and other operational considerations:

Liability Coverage - *Vice Chairman Feick made a motion to ratify property insurance coverage effective 9/27/22 - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

Supervisor Zimmerman made a motion authorizing a meeting with Zinn Insurance for a site visit and tour of the buildings and grounds to determine any additional coverage needs - - seconded by Vice Chairman Feick and passed unanimously (3-0).

Sign replacement – The Lions Club had received a \$200 donation toward the replacement of the broken sign. There are also two stoves at the property. One recently failed and was replaced by the Lions. The other is 20 years old. A match for the new stove is still available at a cost of \$750. *Chairman Deck made a motion to donate a total of \$650 toward the purchase of the sign and stove - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

Supervisor Zimmerman made a motion that all Rehrersburg Lions Park financial transactions and budgeting will be handled through the Recreation Bank Accounts and its funds - - seconded by Vice Chairman Feick and passed unanimously (3-0).

Electric, Heating Oil and Refuse service providers - *Vice Chairman Feick made a motion to approve changing all utilities from the Lions Club to Tulpehocken Township - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

There was discussion regarding duplicate keys, boiler location for the building at the Park and the status of the DCNR grant.

STAFF REPORTS

Police Department Report – Chief Dronick read the September, 2022 Police Report as follows:

ACTIVITY	TULPEHOCKEN TWP.	MARION TWP.
MILES PATROLLED	1858	695
GALLONS OF FUEL	196.61	0
HOURS WORKED	471	60
PATROL HOURS	328.5	60
TULPEHOCKEN AREA SCHOOL DIST. HOURS	38.6	0
TOTAL INCIDENTS	8	2
TOTAL COMPLAINTS	5	6
MISCELLANEOUS CALLS FOR SERVICE	59	3
FOLLOW-UP INVEST	9	1
TELEPHONE ASSIGNMENTS	32	2
COMM/RESIDENTIAL ALARMS	2	0
EMS/FIRE ADVISORIES	16	7
TRAFFIC STOPS	25	14
CITATIONS ISSUED	22	19
NON-TRAFFIC CITATIONS	0	0
TRAFFIC WARNINGS	9	1
WARRANTS	0	0
PARKING TICKETS	0	0
TRAFFIC ACCIDENTS	4	2
DUI ARRESTS	1	0
MISDEMEANOR/FELONY	0	0
SECURITY CHECKS	43	27
POLICE ASSISTS	10	0
MOTORISTS ASSISTS	0	1
COURT APPEARANCES	4	0
SCHOOL (TRAINING) HOURS	0	0

Chief Dronick reported that during the month of September there were 148 calls received through Berks County 911 for police service; noting that seventeen (17) of those were for Teen Challenge.

Chief Dronick provided the Supervisors a quote for another police vehicle and an update on the vehicle currently on order. The delivery date for the one on order has already been pushed back; the most recent expected delivery date given was September 28, 2022. It has not arrived and the dealer has not been able to get a status update or a new expected delivery date. Waiting to order another vehicle may result in a two year or more wait time. The dealer for the vehicle we have on order advised that Ford is not taking any more orders until they are caught up. There is a local Co-Stars dealer that has a few 2023's that had already been ordered; they are in an assembly line waiting, and are still able to be retro-fitted and color ordered. Some discussions followed regarding using ARPA funds for the purchase and the need to confirm what the deadlines are for using the funds. *Vice Chairman Feick made a motion to authorize ordering the vehicle and purchasing it with American Rescue Plan funds - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

Officer Dronick provided the Supervisors with quotes for a portable radio. The prices are to go up in 2023. *Chairman Deck made a motion to authorize the purchase and for it to be paid for with American Rescue Plan funds - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

Chief Dronick informed the Board that the grant application for the purchase of Tasers and Dash Cameras has been completed and submitted. Awards might be announced as soon as December.

Chief Dronick inquired regarding the number of hours that would be paid for a holiday when the officers' schedule is for (4) four / (10) ten hour shifts. There was some discussion regarding the police schedule, shifts, and whether it is stated in the current contract. The matter will need to be looked into further and is being tabled to be addressed at a later date – no action at this time.

Road Master Report – Vice Chairman Feick read the September, 2022 report. The work consisted of blacktopping, highway mowing, working in the shop, cleaning the trucks, cleaning up a tree on Four Point Road, the regular sewer meter reading and maintenance, cleaned wood from gutters, finished the work on Whitman Road, placing the generator at Village Estates, sewer testing at Dutch Valley Foods, a clogged sewer line, road patching on Little Swatara Church Road, met with Zinn Insurance, received three loads of millings from PennDOT, attended Public Works Meeting, checked out a complaint on Teen Challenge Road.

Vice Chairman Feick stated that the red International needs a new gauge cluster. The snow plow is ready to be picked up. And, two service needed lights are on in the John Deere.

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

Vice Chairman Feick made a motion to ratify the request for Fire Police Coverage for TASD Homecoming on Friday, October 7, 2022 from 5:00 PM – 9:00 PM - - seconded by Supervisor Zimmerman and passed unanimously (3-0).

SEWER OPERATIONS

Judgements and Delinquent Sewer Accounts: Nothing to act on.

Opening a Prime fund for the Sewer Services PLGIT account *Vice Chairman Feick made a motion to authorize adding a Prime fund to the Sewer Services PLGIT account - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

UNFINISHED BUSINESS

Quickbooks

Stonehouse has given a quote for having a credit card feature for payment of sewer bills and which plan they recommend to keep fees low. Updating the fee schedule to include anyone paying by credit card is responsible for the fees. *Supervisor Zimmerman made a motion to accept credit card payments with the condition that the fees get charged to the user as part of the transaction amount - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

Stonehouse has also given a quote for providing payroll services through Quickbooks. Mrs. Judy is to get more information and confirm exactly what services are included and report back to the Board at the November 9th meeting.

NEW BUSINESS

Act 57 of 2022, signed by Governor Wolf in July, amends Local Tax Collection Laws allowing for the waiver of real estate tax penalties in certain situations. Townships must adopt Act 57 by resolution no later than January 9, 2023. *Supervisor Zimmerman made a motion to adopt **Resolution 2022-8** implementing Act 57 - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

CORRESPONDENCE

PPE Request Form and Waiver – No action.

PSATS Unemployment Compensation Group Trust Fund is accepting new members for 2023 calendar year - - No action.

Requests for Fire Police Assistance – *Vice Chairman Feick made a motion to provide fire police assistance for:*

- *the **Hamburg Borough King Frost Parade** on Saturday, October 29, 2022 (rain date Saturday, November 5, 2022),*
- *the **Myerstown Borough Holiday Parade** on November 26, 2022 (rain date November 27, 2022), and*
- *the **Robesonia Borough Jack Frost Parade** on Sunday, November 6, 2022*
- - seconded by Supervisor Zimmerman and passed unanimously (3-0).

Correspondence from PennDOT with the estimated Liquid Fuels allocation for 2023 has been received. - No action.

Correspondence from BCCD was received regarding a Tire Collection Event they are hosting. As they've requested the Township will post the flyer on the Township website and in the Municipal Building lobby.

OTHER BUSINESS

Resolution to update the Township Comprehensive Fee Schedule. Resolution 2022-9 was drafted to add the Liquor License Transfer Application Fee. *Vice Chairman Feick made a motion to amend the Resolution presented to include fees for any credit card transactions - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

*Supervisor Zimmerman made a motion to adopt **Resolution 2022-9**, as amended, adding credit card transactions and Liquor License Transfer Applications to the Tulpehocken Township Comprehensive Fee Schedule - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

2023 Budget Presentation Meeting. *Supervisor Zimmerman made a motion to approve advertising the 2023 Budget Presentation Meeting for Wednesday, November 9th, 2022 at 5:30 PM - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

Supervisor Zimmerman made a motion to approve advertising the Liquor License Transfer Hearing for Wednesday, November 9th, 2022 at 5:00 PM - - seconded by Vice Chairman Feick and passed unanimously (3-0).

Reminders that the 2022 Berks County Convention is on Thursday, October 20, 2022 and that Trick or Treat is scheduled for Monday, October, 31, 2022 from 6:00 PM – 8:00 PM.

FINANCIAL REPORTS AND APPROVAL FOR PAYMENT OF BILLS:

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

General Account	\$ 6,317.36
First Citizens General Holding Account	\$ 121,204.58
General Plus Account	\$ 369,802.32
State Aid Account	\$ 64.43
State Plus Account	\$ 38,616.57
Street Light Account	\$ 29,775.52
Recreation Fund – Class Account	\$ 19,025.22
Recreation Fund – Prime Account	\$ 110,868.63
Payroll Account	\$ 16,474.47
American Rescue Plan Account	\$ 364,568.21

Payments of Bills for this October 12, 2022 meeting are:

General Account – Checks #21260 - 21294 in the amount of \$80,323.64

Street Light Account – Check #475 in the amount of \$1,437.46

Total expenses for this October 12, 2022 Meeting are \$81,761.10

Vice Chairman Feick made a motion to approve the payment of bills for this October 12, 2022 meeting - - seconded by Supervisor Zimmerman and passed unanimously (3-0).

12Sewer Accounts balances for the end of September, 2022 were as follows:

Sewer Operation Account: \$10,988.75

Balance in the Sewer Holding Account: \$261,318.16

Debt Service Account: \$431,169.80

Expenses for this meeting: \$24,707.05

Vice Chairman Feick made a motion to approve the payment of bills for this October 12, 2022 meeting - - seconded by Supervisor Zimmerman and passed unanimously (3-0).

EXECUTIVE SESSION

At 9:48 PM the Board of Supervisors called an executive session.

At 10:15 PM the Board returned from Executive Session to discuss personnel matters - - no action is needed.

ADJOURNMENT OF MEETING

Supervisor Zimmerman made a motion to adjourn the meeting at 10:15 PM - - seconded by Vice Chairman Feick and passed unanimously (3-0).

Respectfully Submitted,
Kathy Judy, Secretary
Tulpehocken Township