

**Tulpehocken Township  
Board of Supervisors  
Meeting of March 8, 2023**

The Tulpehocken Township Board of Supervisors met on March 8, 2023, 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 Dale Seraeino, Kyle Batz, Michael Oberholtzer, John Zimmerman and Robert Sattazahn.

**CALL TO ORDER**

Chairman Deck called the meeting to order at 7:07 P.M.

The meeting continued with the pledge to the American Flag.

**PUBLIC COMMENTS:**

A member of the audience approached the Board to follow up about concerns over standing dead trees at a property along State Route 419. On 02/23/23 a dead tree came down, hit power lines and fell across the road. There are other standing dead trees at the property where this occurred. The resident first attended the March 2, 2023 joint meeting of the Planning Commission and Board of Supervisors to request that PennDOT and the property owner be contacted and made aware of the threat. Vice Chairman Feick reported that he had spoken with someone at PennDOT and they instructed that the resident will have to call PennDOT's Temple office to report the problem. And the Board advised that the Township will send a letter to the resident to make them aware of the problem.

A member of the audience asked for a copy of the previous zoning map, as it was prior to 2014. Mrs. Judy will work to locate a copy of the previous map and provide a copy as requested.

**APPROVAL OF MINUTES**

*Vice Chairman Feick made a motion to approve the minutes from the February 8, 2023 Board of Supervisors Meeting - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

**ADMINISTRATIVE ACTIONS:**

**Personnel:** None.

**Planning Commission:**

Chairman Deck stated that at their March 2, 2023 joint meeting, the Planning Commission and Board of Supervisors agreed to hold another joint meeting - The April Planning Commission meeting is to be rescheduled to April 3, 2023 as a joint meeting to continue discussions and review of Solar Ordinance Amendments, Wireless Facilities Ordinance & Design Manual, Animal Unit allowances and any other business. *Supervisor Zimmerman made a motion to advertise the April Planning Commission Meeting as rescheduled and as a joint meeting with the Board of Supervisors - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

**Solicitor Legal Discussions:** Topics are on the Agenda under Other Business

**Escrow Release:**

Cherry Hill Mennonite School (4 Teen Challenge Road) – the Township Engineer is recommending the final release of this escrow. *Supervisor Zimmerman made a motion authorizing the full release of the Cherry Hill Mennonite School escrow - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

**Correspondence from Zoning Officer:**

The Zoning Officer Addressed:

- 18 Chloe Drive - Chickens are still there. A letter was received from doctor saying they are therapy animals; the Township Solicitors’ office is reviewing this. The Zoning Officer visited the site, the neighbor said they moved, but the chickens appear to still be there and possibly on lot 20 as well and they are contained.
- 591 Godfrey Street – Only one vehicle remains. Consider this closed for now.
- 3 Magdalena Street - The owner called. One car was removed. The truck needs to be fixed, until he can do that this will remain the one inoperable vehicle he is permitted. Another car is his sons; he will work to get the window fixed and the car inspected again; it is registered. The Zoning Officer will follow up and update the Board at its April meeting.
- 121 Godfrey Street – Still several vehicles on the site and no response from the owner. The Zoning Officer can’t see the license plates to determine if they are registered or inspected. She will try to reach someone by phone.
- 25 Deck Road – Animal Unit Allowances are still being reviewed.
- West Four Point Road – There is work being done at the property. The Township Secretary, Building & Code Enforcement Officer and the Zoning Officer have each been in contact with the property owner about the required Permits. A Building Permit Application has been submitted. No Zoning Permit Application has been submitted. *Vice Chairman Feick made a motion to authorize the Zoning Officer to issue a Notice of Violation if the Zoning Permit Application is not received by Monday, March 13, 2023 - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

**Land Development**

Tulpehocken Area School District (Bus Parking Lot at 27 Rehrersburg Road) – The School District has submitted plans and a letter to requesting a waiver of SWMO Section 701 and the requirement to post a performance guarantee escrow. Mr. Batz, the Board and the Township Solicitor spoke briefly about the waiver request. Ms. Mayfield stated that an agreement is being drafted that will include the requirement for the posting of the inspection escrow and the responsibility to pay any Solicitor or Engineer fees should they exceed the application fees already paid. *Vice Chairman Feick made a motion to grant the School District’s request for a waiver of SWMO Section 701- - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

**Recreation Board**

Mrs. Judy advised that the Recreation Board would like approval to change their Meeting Dates from the third Thursday to the third Wednesday of the month instead. Several members of the Recreation Board are also members of the local Lions Club and the two groups’ meeting dates conflict. Miss Mayfield asked if the Board would also like to consider changing the frequency of the Recreation Board meetings from every-other month to monthly instead, since Master Plan

Grant work is set to begin. *Supervisor Zimmerman made a motion to approve the changes and advertise the Recreation Board's 2023 meetings for the remainder of the year as revised to the third Wednesday of every month - - seconded by Vice-Chairman Feick and passed unanimously (3-0).*

Supervisor Zimmerman asked what the chain of command is for reports of maintenance or repair issues at the park. The Board briefly discussed and believes that the renter would likely report issues to the contact at the Lions who handled the reservation and ultimately the Township would be made aware of the maintenance or repair need.

**STAFF REPORTS**

**Police Report** – Chief Dronick read the February, 2022 Police report as follows:

ACTIVITY	TULPEHOCKEN TWP	MARION TWP
MILES PATROLLED	1611	636
GALLONS OF FUEL	174	0
HOURS WORKED	400	60
PATROL HOURS	202.75	56
TULPEHOCKEN AREA SCHOOL DIST. HOURS	41.25	0
TOTAL INCIDENTS	6	3
TOTAL COMPLAINTS	11	5
MISCELLANEOUS CALLS FOR SERVICE	70	3
FOLLOW-UP INVEST	3	5
TELEPHONE ASSIGNMENTS	8	4
COMM/RESIDENTIAL ALARMS	0	3
EMS/FIRE ADVISORIES	10	5
TRAFFIC STOPS	15	4
CITATIONS ISSUED	21	15
NON-TRAFFIC CITATIONS	2	0
TRAFFIC WARNINGS	2	0
WARRANTS	0	0
PARKING TICKETS	0	0
TRAFFIC ACCIDENTS	0	2
DUI ARRESTS	0	0
MISDEMEANOR/FELONY	0	0
SECURITY CHECKS	41	22
POLICE ASSISTS	15	0
MOTORISTS ASSISTS	0	0
COURT APPEARANCES	2	0
SCHOOL HOURS	0	0

Chief Dronick reported that during the month of February there were 105 calls received through Berks County 911; noting that eight (8) were for Teen Challenge.

- Less Lethal Bean Bag Policy, Shotgun conversion and class: Chief Dronick provided the Board with a policy that the Township Solicitor had also reviewed. *Vice Chairman Feick*

*made a motion to adopt and put into effect the Tulpehocken Township Police Department Less-Lethal Impact Munitions Policy and Procedures - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

Chief Dronick asked the Board for approval to purchase the bean bag munitions. The estimated cost for the rounds, shipping and handling is \$513. *Supervisor Zimmerman made a motion to approve the purchase of the bean bag rounds - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

- Police Cadet job offer, hours and wages: Chief Dronick briefed the Board on the results of the candidates' interviews and his recommendation to offer the position to John Guacci. The Chief also presented an agreement outlining wages and other conditions of employment while enrolled in the Police Academy and following graduation.

*Supervisor Zimmerman made a motion to offer the position to John Guacci - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

*Supervisor Zimmerman made a motion to approve the Cadet Agreement - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

- Sale of Chevy Caprice: Mrs. Judy updated the Board that the Municibid auction for the Chevy Caprice closed with one bid, however the bidder is not eligible to purchase it as is. Several other parties expressed interest, but those too were ineligible to purchase it as is. The Board agreed to remove the decals and the red and blue lights and relist it for auction on Municibid. *Vice Chairman Feick made a motion to reject the bid received - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

*Vice Chairman Feick made a motion to remove the police lights and decals and relist the Caprice for sale on Municibid with a starting price of \$5,000.00 - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

- Taser and Dash-Cam grant – Chief Dronick informed the Board that an email was received today. The Township's application was approved, however the total amount of the award is to be determined. We should hear more on the award in the next three to five weeks.
- MCT Upgrade and Replacements – Chief Dronick informed the Board that the 5-year MCT replacements are due this year. Every month the Township makes payments to Berks Communications toward the future replacements. In addition to upgrading the two computers the department currently has, Chief Dronick would like to purchase a third computer as a back-up/spare or to be able to equip each car in the event that three officers are dispatched at the same time for a large detail. At \$4,761 per computer and with \$12,744 already on deposit with Berks Communications, the purchase of the third computer would cost the Township an additional \$1,539 out of pocket. Chief Dronick advised that Marion Township had voted and approved a \$3,000 donation that could be considered to help fund the expense. *Vice Chairman Feick made a motion to approve the purchase of the additional MCT - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

Chief Dronick asked the Board if they want to consider increasing the amount paid monthly to Berks Communications toward the next upgrade. We currently pay for two replacements, prepaying for the additional unit would increase the amount another \$96.50 per month. The Board agreed to take no action at this time.

**Road Master's Report** – Vice Chairman Feick read the February, 2023 report. The work consisted of working in the shop, working on a project on Cottage Road, going to Battery Warehouse and other research trying to repair or replace the jump pack, phone calls, some insurance issues, fixing two street lights in Mountain Meadows, going for parts, digging a probe hole for the School District, cleaning trucks, sewer maintenance, issues with Teen Challenge Pump Station, and work on pricing for 2023's road project. There were no major snow events.

- **Road Salt Contracts**: Vice Chairman Feick advised that despite the mild winter, the state has not forgone the amount requirements and the deadline to submit amounts is March 15<sup>th</sup> to Co-Stars and March 17<sup>th</sup> to the County. *Chairman Deck made a motion to bid 150 tons from the State and 200 tons from the County - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*
- Chairman Deck asked if there was any update on the Service Truck. Vice Chairman Feick advised that the chassis was painted and the body is expected to arrive in to E.M. Kutz around mid-March.

**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:** No action required.

- **30 Chloe Drive**: The property owner has applied for a partial EDU waiver. One unit of the duplex is temporarily vacant. Vice Chairman Feick advised that 1.5.4 in the Sewer Rules and Regulations reads that for a temporary, short-term basis of less than six months waivers are not granted and if more than six months, the Board can choose to grant it. *Supervisor Zimmerman made a motion to deny the waiver request - - seconded by Vice Chairman Feick and passed unanimously (3-0).*
- **241 Godfrey Street**: The property owner has applied for a partial EDU waiver for 2 EDU's. The restraint (2 EDUs) is closed and the apartment (1 EDU) is vacant. *Supervisor Zimmerman made a motion to deny the waiver request and advise the property owner to resubmit the request in six months if it remains unsold and vacant - - seconded by Vice Chairman Feick and passed unanimously (3-0).*
- **Tapping fee rate increase for 2023**: Increasing the tapping fee to \$4,421.55 in 2023 was discussed and accounted for in preparation of the 2023 budget, but not yet adopted by resolution. *Vice Chairman Feick made a motion to authorize the Solicitor to prepare the resolution for the increase of the tapping fee - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

- Sewer Service repairs and purchases: Vice Chairman Feick advised that there are issues with the restroom at the Mt. Aetna Sewer Treatment Plant. The Board discussed the problem and agreed to install a grinder pump and connect to the line to the plant to fix the problem. *Vice Chairman Feick made a motion to authorize the purchase and installation of a sump/grinder pump package for the restroom at the Mt. Aetna Sewer Treatment Plant - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

### **UNFINISHED BUSINESS**

- Comcast Franchise Agreement and unserved areas – Ms. Mayfield advised their offices are still working with Comcast and there are no updates to report at this time.
- Township Refuse Authority: Mrs. Judy updated the Board that according to a representative at Waste Management and their Terms and Conditions, they will charge six months of service fees if the Township were to cancel service now. Due to Waste Management's higher rates, it would still cost more to increase the current plan with Waste Management than it would cost to cancel now, pay the penalty and start weekly service with Nester's. *Supervisor Zimmerman made a motion to cancel service with Waste Management and open an account with Nester's Sanitation for weekly pick-up of a two yard container - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

### **NEW BUSINESS**

- PA Rural Water Association Membership: Vice Chairman Feick advised that he attends trainings that this group offers. Given the reduced member rates for trainings and other benefits he feels that it would be beneficial for the Township to join. *Vice Chairman Feick made a motion to apply for Membership in the PA Rural Water Association - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*
- DEP Annual Report for on-lot Sewage – *Supervisor Zimmerman made a motion to ratify approval to submit the DEP Annual Report for on-lot Sewage - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

### **CORRESPONDENCE**

- Department of Labor & Industry UCC Audit – The Board reviewed the Audit which was provided for informational purposes. No action taken.
- Citizen Complaints
  - 153 Stone Road – see public comments.
  - 7645 Lancaster Avenue – an anonymous complaint was received reporting what appears to be a driveway being put in and questioning permitting. Vice Chairman Feick visited the site and found the work appeared to be minor with some rock moved in to make a parking area for a travel trailer – No action taken.

**OTHER BUSINESS:** None

**FINANCIAL REPORT AND APPROVAL FOR PAYMENT OF BILLS**

Account Balances for the end of February, 2023 were as follows:

General Account	\$ 5,776.23
First Citizens General Holding Account	\$ 185,133.71
General Plus Account	\$ 276,310.70
State Aid Account	\$ 65.42
State Plus Account	\$ 39,277.78
Street Light Account	\$ 24,019.07
Recreation Fund – Class Account	\$ 17,412.90
Recreation Fund – Prime Account	\$ 112,767.06
Payroll Account	\$ 16,724.36
American Rescue Plan – Class Account	\$ 34.37
American Rescue Plan – Prime Account	\$ 370,710.73

Payments of Bills for this March 8, 2023 meeting are:

General Account combined with the payroll account – Checks #21484 to #21524 in the amount of \$89,419.21
Street Light Account – Check #483-#484 in the amount of \$1,990.82
State Liquid Fuels Account – Checks #229 in the amount of \$52,183.31
Building Maintenance Fund –
Recreation Fund – Checks #119 - #120 in the amount of \$315.56
Recreation Planning Recreation –
Camp Calvary Land Dev. Escrow –
Camp Calvary Inspection Escrow –
Village Estates Improvements Inspection Escrow –
Stormwater Inspection Escrow –
American Rescue Plan Account – Check # 1002 in the amount of \$4,785.30
Total Expenses for this meeting – \$148,694.20

Mrs. Judy advised that this month’s bills list included the 2023 payment for the loader, the 2023 police cruiser payment and the fee for 911 dispatch services. She also reported that the Township has received the 2023 Liquid Fuels revenue on March 1, 2023.

*Vice Chairman Feick made a motion to approve the payments of the bills for this March 8, 2023 meeting. The motion was seconded by Supervisor Zimmerman and passed unanimously (3-0).*

Sewer Accounts balances for the end of February, 2023 were as follows:

Sewer Account PLGIT Prime - \$152,268.83
Sewer Operation Account – \$4,548.10
Balance in the Sewer Holding Account - \$112,870.64
Debt Service Account - \$438,552.82

Payments of Bills in the Sewer Operation Account for this March 8, 2023 meeting are:

Check #2975 to #2988 in the amount of \$27,118.37
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*Vice Chairman Feick made a motion to approve payment of the sewer bills for this March 8, 2023 meeting - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

**ADJOURNMENT OF MEETING**

*Supervisor Zimmerman made a motion to adjourn the meeting at 8:58 P.M. The motion was seconded by Vice Chairman Feick and passed unanimously (3-0).*

Respectfully Submitted,

Kathy Judy, Secretary  
Tulpehocken Township