

**Tulpehocken Township  
Board of Supervisors  
Meeting of June 12, 2024**

The Tulpehocken Township Board of Supervisors met on June 12, 2024, in the Township meeting room at 7:00 P.M. In attendance and voting were Supervisors: Chairman Gary Deck, Vice Chairman Lester Feick and Harold Zimmerman. Also present were Atty. Michelle Mayfield, Township Solicitor; Bryan Dronick, Police Chief and Kathy Judy, Township Secretary / Treasurer.

Members of the audience included Bob Sattazahn and Willie Weiler.

**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. Weiler was present to discuss a request from the Bethel-Tulpehocken Public Library for additional funds toward construction costs, which is on the agenda for this meeting. The matter was discussed at this time rather than later in the meeting. The Board reviewed the request for a contribution toward remaining construction costs. In 2023/2024 the Township has donated \$45,244.28 for the new sign at the library in addition to the annual \$5,000 contributions to the Library. Any additional donation or contribution has not been budgeted for. The Board agreed no additional funding would be given at this time.

**APPROVAL OF MINUTES:**

- *Vice Chairman Feick made a motion to approve the minutes from the May 8, 2024 Board of Supervisors Meeting - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*
- *Supervisor Zimmerman made a motion to approve the minutes from the May 15, 2024 Special Meeting - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

**2024 Road Project Bid Opening:** The following bids were solicited by legal advertisement and were obtained by the Township Office by 10:00 AM:

**Contract #1 – Paving – 1,219 Tons 2.5” 19mm**

<b>Bidder</b>	<b>Unit Price/Ton</b>	<b>Sub Total Item 1A, 1B, 2A</b>	<b>Sub Total Item 3A</b>	<b>Grand Total</b>
New Enterprise Stone & Lime	\$ 93.26	\$ 151,734.02	\$ 47,842.38	<b>\$ 199,576.40</b>
H & K Group, Inc.	\$ 97.75 to \$ 139.37	\$ 167,292.25	\$ 50,284.26	<b>\$ 217,576.51</b>
Construction Masters Services, LLC	\$ 101.75 to \$ 112.10	\$ 172,526.95	\$ 56,019.60	<b>\$ 228,546.55</b>
Allan Myers, LP	\$ 91.00	\$ 148,017.00	\$ 46,683.00	<b>\$ 194,700.00</b>

After all of the bids were reviewed by the Board, *Supervisor Zimmerman made a motion to award the 2024 Road Paving of West Four Point and Cherry Hill Roads to Allan Myers, LP with the total amount of the bid being \$194,700.00, subject to the Township Solicitor’s review - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

**Public Hearing and enactment of Ordinance 2024-4:**

*Chairman Deck made a motion to open the Public Hearing on Ordinance 2024-4 - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

Atty. Mayfield stated that this Ordinance would amend the Tulpehocken Township Zoning Ordinance of 2013, amending regulations for solar accessory uses, increasing the wattage for usage allowed and also to require updating contact information for tower based wireless communication facilities. It was noted that the County has reviewed the Ordinance and recommended language regarding structural analysis for roof mounted arrays be included. It was discussed and agreed that structural analysis could be addressed in the permitting policy if it is not already sufficiently addressed in the UCC.

*Supervisor Zimmerman made a motion to sign and enact Ordinance 2024-4 - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

*Supervisor Zimmerman made a motion to close the Public Hearing on Ordinance 2024-4 - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

**ADMINISTRATIVE ACTIONS:**

**Personnel:** None

**Planning Commission Recommendations:** None

**Solicitor Legal Discussion:**

- Village Estates agreements, dedication of pump station and outstanding bills: no update at this time.
- Right to Know Policy: *Vice Chairman Feick made a motion to ratify authorizing the Solicitor to review and draft a revised Township Right to Know Policy - - seconded by Supervisor Zimmerman and passed unanimously (3-0).* Per recent recommendations from the PA Office of Open Records, the Township's policy was reviewed; a draft has been prepared that changes the Township's Right to Know Policy to include language about anonymous requests. *Chairman Deck made a motion to approve the revised Right to Know policy - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

**Escrow Release:** None

**Correspondence from Zoning Officer:**

- **May Update:** The Zoning Officer Reported that:
  - o **30 Little Swatara Church Road (Landis property)** – The County contacted our solicitor after reaching out to the Township with aerial photographs and evidence of online listings for rentals of the barn at this site. The County also stated there appears to be a dwelling in what was permitted as a corn crib several years ago, and asked about the addition of what appeared to be two pools, but may actually be one pool and putting green. An NOV/cease and desist notice was sent to the owners. The structure was permitted for storage and family activities only. The SEO has also sent out a Notice of Violation for sewer related concerns. In response to the NOV/Cease & Desist, the Zoning Officer was contacted by the Attorney for the property owner asking to extend the appeal period – *Supervisor Zimmerman made a motion to direct the Zoning Officer to deny the request and to relay to their attorney that although while we will not grant the time extension, we will be open to work with them once they file the appeal - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

- **21 Rehrersburg Road (Michael Kline property)** – the camper is still on site; the property owner reported that he was told it was being relocated this past Monday. We can cite the property owner to see if that adds any pressure to force them to vacate or discuss it with the Solicitor to see if there is a way to cite the mobile home owner instead. It was discussed that the property owner may need to file for ejectment to get the camper to vacate.
- **44 Rehrersburg Road (Santiago/Gerera property)** – the one camper and boat have been removed from the site. They still need to provide proof of inspection for two vehicles. They have gathered a lot of junk and need to get a dumpster to dispose of it. Cleanup has been slow but progress continues to be made. *Supervisor Zimmerman made a motion authorizing the Zoning Officer to research and report back if there is a violation of the Zoning Ordinance that can be acted on and for the Board to then revisit the matter and how to proceed - - seconded by Vice Chairman Feick and passed unanimously (3-0).*
- **Zoning Appeal Application – Four Points Road & Route 419 (PTV LLC)** - The Board reviewed the application and discussed the Planning Commission’s review and recommendation. The application is for a variance from Section 1043.02 and the required number of parking spaces for a proposed Dollar General retail store in the Industrial/Commercial Zoning District. *Supervisor Zimmerman made a motion that the Board of Supervisors recommend that the Zoning Hearing Board support the application - - seconded by Vice Chairman Feick and passed unanimously (3-0).*
- **Zoning Appeal Application – 61 Strausstown Road (Rehrersburg Mennonite Church)** - The Board reviewed the application and discussed the Planning Commission’s review and recommendation. The applicant is proposing an expansion to include additional classroom, tutor space, restroom and interior and exterior play areas. The application is for a special exception of Section 834 and 834.13 requesting to extend the previously granted (May of 2000) special exception use to include this current expansion. In accordance with the Planning Commission recommendation, *Supervisor Zimmerman made a motion that the Board of Supervisors recommend that the Zoning Hearing Board support the application and consider requesting that the boundaries of the existing cemetery area be delineated on the site plans - - seconded by Vice Chairman Feick and passed unanimously (3-0).*
- **Land Development:** None

**Recreation:**

- Lions Park: Maintenance and operation repairs and purchases:
  - Roof repair and painting – Scott Fisher has been out to the site and will contact Lester Feick about the job.
  - UV light / water system repair and testing – Vice Chairman Feick shared that we may need a new UV light and he will need to find out why the water softener system has been unplugged. Also, he has found a wet spot near the well and will need to find out if there is an underground leak.

**STAFF REPORTS:**

**Police Report** – Chief Dronick read the May, 2024 Police report as follows:

	<b><u>Tulpehocken</u></b>	<b><u>Marion</u></b>
MILES PATROLLED	2403	897
GALLONS OF FUEL	263	
HOURS WORKED	565.65	60
PATROL HOURS	294.25	44
TULPEHOCKEN AREA SCHOOL DIST. HOURS	45	
TOTAL INCIDENTS	10	2
TOTAL COMPLAINTS	6	3
MISCELLANEOUS CALLS FOR SERVICE	74	5
FOLLOW-UP INVEST	3	1
TELEPHONE ASSIGNMENTS	19	11
COMM/RESIDENTIAL ALARMS	0	1
EMS/FIRE ADVISORIES	22	8
TRAFFIC STOPS	45	9
CITATIONS ISSUED	38	13
NON-TRAFFIC CITATIONS	0	0
TRAFFIC WARNINGS	7	2
WARRANTS	0	1
PARKING TICKETS	0	0
TRAFFIC ACCIDENTS	8	4
DUI ARRESTS	0	0
MISDEMEANOR/FELONY	0	0
SECURITY CHECKS	5	2
POLICE ASSISTS	11	0
MOTORISTS ASSISTS	1	1
COURT APPEARANCES	2	5
SCHOOL (TRAINING) HOURS	4	

Chief Dronick reported that during the month of May there were 168 calls received through Berks County 911; noting that seventeen (17) were for Teen Challenge.

**Road Master’s Report:** Vice Chairman Feick read the May, 2024 report. The work consisted of regular sewer maintenance, reading meters, filling the generators’ fuel tanks, cleaning up a downed tree on Teen Challenge Road, pothole patching, working on equipment, working on the dump truck, mowing lawns, highway mowing, taking the new truck to Keller Brothers for recall notice (the work is not done, waiting for a part), meeting with contractors for road project pre-bid meetings, work on Mountain Meadows street lights, doing road shoulder repair work.

It was noted that the hydraulic pump is not repaired yet. Vice Chairman Feick also advised the Board that debris picked up while mowing on Summer Mountain Road caused some damage to a house’s siding and we will be receiving a bill for the repair.

**Fire Chiefs' Report** – Vice Chairman Feick reviewed activity for the Keystone Fire Company and read the report for the Rescue Fire Company for May, 2024.

**SEWER OPERATIONS:**

- Judgements and Delinquent Sewer Accounts: 21 East Market Street – The judgement is in the process of being transferred. Once Judgement is received, personal property sale may be authorized.
- Update on Teen Challenge 2023 billing: On May 21, 2024 a letter was sent to Teen Challenge about the 2023 billing and requesting their response within 30 days.

**UNFINISHED BUSINESS:**

- Emergency services tax – Workshop meetings to discuss an Emergency Services tax to help fund Fire and EMSs in the Township have been held on April 24, 2024 and May 15, 2024. As discussed at the May 15<sup>th</sup> Workshop, *Vice Chairman Feick made a motion to authorize advertising the next Workshop to be held at 6:30 P.M. on Wednesday, June 19, 2024 - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

**NEW BUSINESS:**

- Reduced assessed value and tax refunds – Per the Tax Collector's instruction and after reviewing a report and email she received from the County, *Supervisor Zimmerman authorized a \$255.52 refund to be paid out for parcel 86443000151367 (49B Summer Mountain Road) and a \$32.40 refund to be paid out for parcel 86442000577950 (9 Summer Mountain Road) - - seconded by Vice Chairman Feick and passed unanimously (3-0).*
- Bernville Borough Memorial Day Parade - *Supervisor Zimmerman made a motion to ratify approval to provide Fire Police coverage at Bernville Borough's Memorial Day Parade on May 27, 2024 - - seconded by Vice Chairman Feick and passed unanimously (3-0).*
- Quote for installation of Security Camera System at Municipal Building – *Supervisor Zimmerman made a motion to ratify the approval of SmrtGuys quote #        for \$        for installation of Security Camera System at the Municipal Building - - seconded by Vice Chairman Feick and passed unanimously (3-0).*
- Township phone system – The Board reviewed and discussed three quotes Police Chief Dronick presented for VOIP services and agreed to table the matter – no action at this time.
- Fly/Pest control – Supervisor Zimmerman reported that he's received employee complaints that fly pest condition is extremely bad and wanted to discuss what could be done about it. The Board agreed to inquire with its current exterminator service provider for his recommendations.

**CORRESPONDENCE:**

- Request from Bethel-Tulpehocken Public Library for additional funds - see Public Comments section of these minutes.
- Request from Borough of Robesonia for Fire Police coverage – *Vice Chairman Feick made a motion to approve Fire Police coverage at the Borough of Robesonia's annual Fireworks and Street Fair from 6:00 PM to approximately 11:00 PM on Saturday, June 22, 2024 - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*
- It was noted that the Township received a copy of the Magisterial District Justice's 2023 Financial Statement Audit, as a copy for our records.

**OTHER BUSINESS:** None

**TRAINING AND OTHER INVITATIONS:**

- The Berks County Public Works Association meeting is July 17; the RSVP to attend is due by July 5, 2024

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

Account Balances for the end of May, 2024 were as follows:

General Account	\$ 58,689.44
1 <sup>st</sup> Citizens General Holding Acct	\$ 213,494.81
General Prime Account	\$ 423,779.70
State Aid Account	\$ 240,707.76
Street Light Account	\$ 29,855.06
Recreation Fund	\$ 128,555.50
Payroll Account	\$ 19,159.71
American Rescue Plan Account	\$ 170,310.74

Payments of Bills for this June 12, 2024 meeting are:

- General Account – Checks #22119-22161 in the amount of \$161,124.19
- Street Light Account – Check #503 in the amount of \$1,920.24
- Recreation Fund – Checks #164-168 in the amount of \$1,981.18
- Recreation Planning Escrow – Check #127 in the amount of \$4,730.24
- American Rescue Plan Account – Checks #1013-1014 in the amount of \$27,811.64
- Total Expenses for this June 12, 2024 Meeting are \$197,567.49

*Vice Chairman Feick made a motion to approve the payments of the bills for this June 12, 2024 meeting - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

Sewer Accounts balances for the end of May, 2024 were as follows:

- Sewer Operation Class Account – \$ 3,929.04
- Sewer Operation Prime Account - \$138,183.25
- Balance in the Sewer Holding Account - \$50,990.25
- Debt Service Account - \$468,880.23

Payments of Bills in the Sewer Operation Account for this June 12, 2024 meeting are:

- Check #3208 to 3225 in the amount of \$36,568.43

*Supervisor Zimmerman made a motion to approve the payments of the sewer bills for this June 12, 2024 meeting - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

**EXECUTIVE SESSION (if needed):**

**ADJOURNMENT OF MEETING:** *Supervisor Zimmerman made a motion to adjourn the meeting at 10:17 P.M. - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

Respectfully Submitted,

Kathy Judy, Secretary  
Tulpehocken Township