

**Tulpehocken Township
Board of Supervisors
Meeting of November 13, 2024**

The Tulpehocken Township Board of Supervisors met on November 13, 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 Lori Deck, Tax Collector; Bryan Dronick, Police Chief and Kathy Judy, Township Secretary / Treasurer.

Members of the audience included Josh Boulton, Zach Batdorf, Ashley Batdorf, Mike Najarian and Josh Bollinger.

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: Two members of the audience made comments later in the meeting, prior to adjournment.

EXECUTIVE SESSION: The Board met for an Executive Session at 6:40 PM on Wednesday, November 13, 2024, prior to this meeting being called to order, to discuss personnel matters – No action was taken.

APPROVAL OF MINUTES:

Supervisor Zimmerman made a motion to approve the minutes from the October 9, 2024 Board of Supervisors Meeting - - seconded by Vice Chairman Feick and passed unanimously (3-0).

ADMINISTRATIVE ACTIONS:

Personnel: Lori Deck presented the Board with her letter of resignation and recommendation of Ashley Batdorf for appointment of Interim Tax Collector for 2025 to complete the final year of the current term. Ashley Batdorf presented the Board with her letter of interest for appointment to the position. Both letters were reviewed, Ashley's qualifications were considered and the course of the transition was discussed. The Board thanked Lori for her years of service to the Township and its residents and recognized her for her dedication and exceptional work. They also welcomed and thanked Ashley for her interest in serving.

Vice Chairman Feick made a motion to accept Lori A. Deck's resignation as Tax Collector effective December 31, 2024 - - seconded by Supervisor Zimmerman and passed (2-0-1) Chairman Deck abstained, stating for the record he is abstaining because of his relationship to Lori Deck.

Supervisor Zimmerman made a motion to appoint Ashley E. Batdorf as Interim Tax Collector effective January 1, 2025 - - seconded by Vice Chairman Feick and passed unanimously (3-0).

Planning Commission Recommendations:

Florence Schrack Revocable Trust Subdivision has granted a time extension to March 12, 2025. In accordance with the Planning Commission's recommendation, *Supervisor Zimmerman made a motion to accept the time extension - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

Shank Door (165 Greble Road) has granted a time extension to March 3, 2025. In accordance with the Planning Commission's recommendation, *Supervisor Zimmerman made a motion to accept the time extension - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

Mountain Meadows, Lot 50 & 56 Annexation. The plan, the Township Engineer's 10/27/24 review and a granted time extension to January 9, 2025 were discussed. In accordance with the Planning Commission's recommendations:

Supervisor Zimmerman made a motion to grant conditional plan approval with the conditions that the requirements in the Engineer's 10/27/24 review letter, general comments 1-3 related to revised deeds, stormwater easement adjustments and posting of a \$500 escrow are satisfied - - seconded by Vice Chairman Feick and passed unanimously (3-0).

Supervisor Zimmerman made a motion to accept the time extension to January 9, 2025 - - seconded by Vice Chairman Feick and passed unanimously (3-0).

Dollar General (Route 419). Two waiver requests and a time extension to February 12, 2025 were discussed. In accordance with the Planning Commission's recommendations:

Supervisor Zimmerman made a motion to grant a waiver request to Section 205 allowing the Preliminary Plan to be reviewed as a Final Plan - - seconded by Vice Chairman Feick and passed unanimously (3-0).

Supervisor Zimmerman made a motion to only partially grant the waiver request to 602.3; ordering that a portion of curbing is to still be required at the driveway entrance and it is to match the curbing found at Centerport Milk Hauling which is located north of the site - - seconded by Vice Chairman Feick and passed unanimously (3-0).

Supervisor Zimmerman made a motion to accept the time extension to February 12, 2025 - - seconded by Vice Chairman Feick and passed unanimously (3-0).

Solicitor Legal Discussion: OOR updated RTK form. As recommended, the Township will review its policy and form for possible revision – matter tabled.

Escrow Release:

- **Centerport Milk Hauling (127 Rehrersburg Road)** has requested release of the Letter of Credit. In accordance with the Township Engineer's recommendation, *Supervisor Zimmerman made a motion to authorize the full release of the Letter of Credit in the amount of \$28,199.30 - - seconded by Vice Chairman Feick and passed unanimously (3-0).*
- **Martin Poultry Barns (Wintersville Road)** has requested release of the Letter of Credit. In accordance with the Township Engineer's recommendation, *Supervisor Zimmerman made a motion to authorize the full release of the Letter of Credit in the amount of \$15,250.00 - - seconded by Vice Chairman Feick and passed unanimously (3-0).*
- **Harold Case (54 Midway Road)** has requested the release of the cash escrow. In accordance with the Township Engineer's recommendation, *Vice Chairman Feick made a motion to authorize a partial release of \$3,248.61 and holding \$2,000 in escrow until outstanding remaining items are addressed - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

Correspondence from Zoning Officer: None.

44 Rehrersburg Road (Gerera / Santiago property) – Mrs. Judy is to request an update from the Township Zoning Officer and Solicitor for the Board of Supervisors.

- Review Zoning Appeal Application for 87 Wintersville Road, Gerald Hurst application / Wilmer and Joyce Hurst property • The Zoning Hearing date is November 19, 2024 • The property is in the EAP District • The application is for an exception for special use to operate a butcher shop and a variance for the building's maximum square foot size allowed • After the Board reviewed and discussed the application and the Planning Commission's review, *Chairman Deck made a motion to recommend that the Zoning Hearing Board ask for clarification on square footage of shop and storage areas, ask what the plan for waste and waste water is, require that a variance from Section 834.02(1) for non-owner/operator be added to the application and that compliance with Township and UCC codes be required - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

Land Development:

- Village Estates Agreements and Dedication of Pump Station and Sewer Lines – The lines have been cleared, the Township Engineer has reviewed new video of the lines and suggested an amount for escrow. The Solicitor is drafting agreements – table dedication for December meeting.

Recreation:

- Lions Park: Maintenance and operation repairs and purchases: None at this time.
- Update on DCED GTRP Grant – no update at this time; the application is still under review at DCED.
- Application for funding through Statewide Local Share Account (LSA) – The Senator’s office has sent information about applying for LSA grant funding. The deadline for applications is November 30, 2024. Efforts to prepare and submit an application will be made.

STAFF REPORTS:

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

	Tulpehocken	Marion
MILES PATROLLED	2729	1197
GALLONS OF FUEL	291.5	
HOURS WORKED	673.9	60
PATROL HOURS	377.5	52
TULPEHOCKEN AREA SCHOOL DIST.	44.75	
TOTAL INCIDENTS	5	4
TOTAL COMPLAINTS	10	1
MISCELLANEOUS CALLS FOR SERVICE	67	8
FOLLOW-UP INVEST	2	0
TELEPHONE ASSIGNMENTS	19	7
COMM/RESIDENTIAL ALARMS	1	2
EMS/FIRE ADVISORIES	29	8
TRAFFIC STOPS	58	31
CITATIONS ISSUED	51	28
NON-TRAFFIC CITATIONS	0	0
TRAFFIC WARNINGS	9	9
WARRANTS	0	0
PARKING TICKETS	0	0
TRAFFIC ACCIDENTS	4	2
DUI ARRESTS	0	0
MISDEMEANOR/FELONY	1	0
SECURITY CHECKS	9	1
POLICE ASSISTS	15	0
MOTORISTS ASSISTS	4	0
COURT APPEARANCES	9	2
SCHOOL (TRAINING) HOURS	38	

Chief Dronick reported that during the month of October there were 211 calls received through Berks County 911; noting that twenty (20) were for Teen Challenge.

- **Equipment Repairs and purchases.** Chief Dronick reported that the 2022 Cruiser needs tires. He estimates they will cost between \$950 and \$1,200 and would be purchased from a Costar supplier. *Supervisor Zimmerman made a motion to approve the purchase of tires for the 2022 Cruiser - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

Chief Dronick reported that Marion Township applied for and received a grant award of \$38,134.00 to be used for the purchase of select communication and tactical equipment, such as portable radios and ballistic shields for the department.

There was a discussion about police response to a call at an AirBNB in the Township and the challenge of rental properties. The Board agreed there is a noticeable positive difference because of the police presence in the Township, on the roads especially, and recognized and thanked them for their hard work.

- **Agreement between Marion and Tulpehocken Townships for police services.** The current agreement period expires December 31, 2024. An agreement addendum has been drafted for 01/01/2025 through 12/31/2027 with an initial hourly rate of \$85.50 for 2025. *Supervisor Zimmerman made a motion to extend the agreement with Marion Township, authorize signing the addendum and forwarding it to Marion Township for signature - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

Road Master’s Report: Vice Chairman Feick read the October, 2024 report. The work consisted of monthly sewer maintenance, reading of meters, cleaning up car parts dumped along the road, working on the trucks, handling a complaint about low hanging tree limbs, working on the police cars, attended the Berks County Public Works Meeting, lawn mowing, highway mowing, sewer call-outs, paperwork for the Mt. Aetna accident in the square, met with Hafer Equipment, posting a Zoning Hearing Notice, working on the Four Points Road project, trimming trees in Mt. Aetna, hauling stone, measuring parking lot, working on equipment, back-filling along Four Points and Cherry Hill Roads, met with the fuel company, checked out a driveway permit application, met with Allen Myers, Inc. and sign maintenance.

- **Mt. Aetna repair of highway fire damage from August 12, 2024 accident** – no update at this time.
- **Road Project update** – An onsite meeting with a representative from Allen Myers, Inc. took place on October 29, 2024. Since then they have not returned to do any of the corrective work discussed. In addition, PennDOT has advised that Liquid Fuels cannot be used to pay for the scratch coat because it was not done per Pub 408 and the project specifications. The Board agreed to have the Solicitor draft a letter to Allen Myers, Inc. to address the scratch coat, driveway, sealing and blacktop to the pipe head wall punch list items.
- **Equipment Repairs and Purchases** - Vice Chairman Feick reported that:
 - the Mack is at Daub’s for replating because of some spots where of dump body was rusted through
 - the International will be going to E.M. Kutz to repair a plow cable, a leaking oil tank valve, a hose and an ejector pump. It also needs a brake chamber that will be done by the Township
 - and truck 15 needs rear tires; they’ll probably be purchased from Kentner Tires, a Costars supplier.

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

SEWER OPERATIONS:

- **Judgements and Delinquent Sewer Accounts**
- **Sewer Service equipment repairs and purchases** – Vice Chairman Feick reported that a Lancaster Avenue pump is down with a broken / sheared off shaft; it’s been given to Slay Maker to examine for flaws and at the next clean out, the line should be examined for any debris in the line that could have caused the damage. The Vice Chairman also reported that they were called out for a clogged pump at Village Estates Pump Station, possibly caused from the clearing of the lines that was recently done.

UNFINISHED BUSINESS:

- **Update regarding reimbursement of Liquid Fuel funds.** The Township Solicitor has sent a letter to PennDOT as requested.
- **Commit balance of ARPA funds** – After some discussion, the Board agreed to use the balance of the ARPA funds for improvements to the Municipal Building. The Board agreed the work would include new fuel tanks with a key fob or card system and also installation of a new sign with digital message board at the municipal building.

Supervisor Zimmerman made a motion authorizing the Township Engineer to prepare a bid package for the fuel tank project and authorizing advertisement of the invitation for bids - - seconded by Vice Chairman Feick and passed unanimously (3-0).

Supervisor Zimmerman made a motion to either - obtain several quotes from Costar suppliers for the sign; and alternatively - authorize the Township Engineer to prepare a bid package for the sign project and authorize advertisement of an invitation for bids if there are no Costar suppliers available - - seconded by Vice Chairman Feick and passed unanimously (3-0).

NEW BUSINESS:

- a. **Request from Ag Preservation Board** – The Board reviewed a request from the County Ag Board. *Vice Chairman Feick made a motion to send a letter, and approved minutes when available, acknowledging that, of a total 50.49 acre Bethel Township assessed Parcel, 2.2 of the acres are situated in Tulpehocken Township - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*
- b. **FCCB limited waiver** – FCCB granted a limited waiver of a default of loan agreement and debt service coverage ratio requirement for 2023. *Supervisor Zimmerman made a motion authorizing the Chairman to sign the acknowledgement letter - - seconded by Vice Chairman Feick and passed unanimously (3-0).*
- c. **2025 Reorganization Meetings** – The Board of Supervisors Reorganization Meeting will be held on Monday, January 6, 2024 at 6:00 PM. The Township Auditors will meet on Tuesday, January 7, 2024, time to be determined. *Supervisor Zimmerman made a motion to approve advertising the 2025 Board of Supervisors and the 2025 Township Auditors Reorganization Meetings - - seconded by Vice Chairman Feick and passed unanimously (3-0).*
- d. **Review 2025 Meeting Dates** – the Board reviewed the 2025 meetings schedule. No motion to advertise was made at this time – this was tabled until the December meeting.

CORRESPONDENCE:

Request from PA One Call System for Letter of Support – *Supervisor Zimmerman made a motion to sign and send the letter of support as requested - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

2025 Municipal Tax Sheet – *Vice Chairman Feick made a motion authorizing the 2025 Municipal Tax Sheet to be signed by the Chairman and submitted to the County Treasurer’s Office - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

PLGIT request - *Vice Chairman Feick made a motion to authorize signing and submitting the newly revised Check Writing Authorization form to PLGIT as requested - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

Act 94 of 2024 regarding Supervisors Compensation amending compensation cap for Supervisors – new rates effective only at commencement of next new elected term – No action required.

OTHER BUSINESS:

Four Board terms expire on December 31, 2024: Gary Deck, Planning Commission; Troy Lape, Recreation Board; Sharon Kramer, Zoning Hearing Board and Jayne Seyfrit, Zoning Hearing Board Alternate. All four have confirmed expressed interest in reappointment – No action at this time; vacant positions to be filled at the Reorganization Meeting on January 2, 2025.

Appointment of CPA Auditor – *Vice Chairman Feick made a motion to authorize advertisement of intent to consider adoption of a resolution, at the January 6, 2025 Reorganization meeting, to appoint Riley & Company as CPA Auditor - - seconded by Supervisor Zimmerman and passed unanimously (3-0).*

TRAINING AND OTHER INVITATIONS:

FINANCIAL REPORT AND APPROVAL FOR PAYMENT OF BILLS:

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

General Account	\$ 20,437.74
1 st Citizens General Holding Acct	\$ 348,312.93
General Prime Account	\$ 433,230.37
State Aid Account	\$ 246,073.39
Street Light Account	\$ 26,359.98
Recreation Fund	\$ 120,216.46
Payroll Account	\$ 23,292.14
American Rescue Plan Account	\$ 135,745.01

Payments of Bills for this November 13, 2024 meeting are:

- General Account – Checks #22302-22339 in the amount of \$32,705.80
- Street Light Account – Check #511 in the amount of \$1,250.83
- Recreation Fund – Checks #185-187 in the amount of \$417.24
- Total Expenses for this November 13, 2024 Meeting are \$34,373.87

Vice Chairman Feick made a motion to approve the payments of the bills for this November 13, 2024 meeting - - seconded by Supervisor Zimmerman and passed unanimously (3-0).

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

- Sewer Operation Class Account – \$ 5,640.05
- Sewer Operation Prime Account - \$ 110,775.88
- Balance in the Sewer Holding Account - \$ 50,423.19
- Debt Service Account - \$ 479,336.65

Payments of Bills in the Sewer Operation Account for this November 13, 2024 meeting are:

- Checks #3287 to 3303 in the amount of \$ 18,191.04

Supervisor Zimmerman made a motion to approve the payments of the sewer bills for this November 13, 2024 meeting - - seconded by Vice Chairman Feick and passed unanimously (3-0).

EXECUTIVE SESSION: Prior to this meeting, as noted on page 1.

PUBLIC COMMENTS:

Mike Najarian provided the Board with information on Library use, volume and current events. He reminded the Board to please let them know if there are any public announcements they can assist with through posting on their sign.

Another member of the audience was present to report a violation of the burn ban taking place presently and to request action be taken. The matter was discussed, called in and crews were dispatched to respond to the scene.

ADJOURNMENT OF MEETING: *Supervisor Zimmerman made a motion to adjourn the meeting at 9:30 P.M. - - seconded by Vice Chairman Feick and passed unanimously (3-0).*

Respectfully Submitted,

Kathy Judy, Secretary
Tulpehocken Township