

**ROCKLAND TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES**

**JANUARY 14, 2020**

The monthly meeting of the Rockland Township Board of Supervisors was held on January 14, 2020 at 7:00PM at the Rockland Township Municipal Building. The following board members were present: Chairman David Wartzluft, Vice Chairman Nathan Ohlinger and Michele Albright. Also present were Attorney Jim Smith, Township Solicitor and interested citizens.

The meeting was called to order at 7:00PM by Chairman David Wartzluft. The meeting was opened with the pledge to the flag.

The minutes of the Board of Supervisors' Year-End Meeting held on December 26, 2019 were presented to the Board for approval. On a motion by Nathan Ohlinger, seconded by Michele Albright, the December 26, 2019 Year-End Meeting minutes were approved as presented. There was no public comment. All were in favor. Motion carried.

The minutes of the Board of Supervisors' Organization Meeting held on January 6, 2020 were presented to the Board for approval. On a motion by Michele Albright, seconded by Nathan Ohlinger, the January 6, 2020 Organization Meeting minutes were approved as presented. There was no public comment. All were in favor. Motion carried.

Mr. Harlan Snyder, Pine Creek Watershed Association requested to speak to the Board regarding 104 Schweitz Road. 104 Schweitz Road is currently for sale, and the listing refers to six one-acre lots and one two-acre lot (lots which were subdivided in 1990). Mr. Snyder informed the Board that it appears these 1-2 acre lots do not conform to the Township's current minimum lot acreage and expressed concern for the potential for pollution in a watershed with an exceptional value stream if these lots do not meet the current, more-strict requirements for on-lot septic systems. Mr. Snyder wanted to bring this matter to the attention of Township officials and inquired as to whether the Township could require that these lots adhere to current, updated zoning and septic system requirements.

The balance sheets, check detail and deposit detail for December 2019 were prepared by the Secretary/Treasurer for the Board's review with the following balances reported to the Board of Supervisors.

101.000	General Fund – Checking	3,295.32
106.000	General Fund – Savings	1,458,144.59
107.001	General Fund – Savings	3,809.90
107.002	General Fund – Certificate of Deposit	109,120.81
107.006	General Fund – Savings (PRIME)	1,530,503.22
110.000	Petty Cash	200.00
	State Aid Account – Savings	7,649.97
	State Aid Account – Checking	408.57
107.003	Capital Reserve Account – Savings	63,587.54
107.004	Fire Co. Equipment Fund	18,978.00
107.005	Payroll Account – Checking	27,522.00
	<b>Total as of December 31, 2019:</b>	<b>\$3,223,219.92</b>

On a motion by David Wartzluft, seconded by Nathan Ohlinger, the balance sheets, check and deposit details for December 2019 were approved as presented. There was no public comment. All were in favor. Motion carried.

**REPORT OF SOLICITOR**

Executive Session – The Township Solicitor requested the Board meet in executive session to discuss some contract-related issues and recommended the Board conduct the executive session after tonight's meeting agenda items are complete and prior to adjournment.

The Township Solicitor informed the Board that he reviewed the meeting minutes from the January 6, 2020 Organization Meeting and, as a result of this review, is recommending further action by the Board to remedy some potential legal issues/conflicts. First, Duane Bennetch was appointed as an Alternate Zoning Hearing Board member and was also appointed to the Park and Recreation Board and the Agricultural Security Area Advisory Committee. The Municipalities Planning Code prohibits an individual from sitting on the Zoning Hearing Board (even as an alternate) while holding any other appointed or elected office in the municipality. Mr. Bennetch was in attendance at tonight's meeting and provided a written letter of resignation to the Board confirming his desire to resign from both the Park and Recreation Board and the Agricultural Area Security Advisory Committee effective immediately. On a motion by David Wartzenuft, seconded by Nathan Ohlinger, the letter of resignation from Duane Bennetch dated January 14, 2020 confirming his intent to resign from the Park and Recreation Board and the Agricultural Area Security Advisory Committee was accepted effective immediately. There was no public comment. All were in favor. Motion carried.

The Township Solicitor informed the Board that the Second Class Township Code clearly outlines who the Board of Supervisors may authorize to attend the annual meeting of PSATS (delegates) and who the Board of Supervisors may authorize to attend workshops, conferences, etc. As such, the Township Solicitor recommended the Board of Supervisors rescind the resolutions recently adopted at its Organization Meeting with regard to attendance at the PSATS Conference and make separate resolutions for each individual authorized to attend the PSATS annual meeting and workshops. As recommended by the Township Solicitor, on a motion by Nathan Ohlinger, seconded by Michele Albright, the Board of Supervisors rescinded the following resolutions adopted at its Organization Meeting held on Monday, January 6, 2020: "On a motion by Michele Albright, seconded by Nathan Ohlinger, David Wartzenuft shall be the voting delegate to the State Convention for 2020, and compensation for attendance for Township Supervisors shall be \$75.00 per day plus out of pocket expenses. 3 Yes, 0 No Motion carried. On a motion by Nathan Ohlinger, seconded by Michele Albright, the Board approved the attendance of the elected Township Supervisors, Secretary/Treasurer, road crew, Emergency Management Coordinator and Duane Bennetch to attend the 2020 PSATS Conference in May 2020 at the Township's expense (including registration fees), and any delegates who are approved to attend the PSATS Conference and who are not employees of the Township shall also receive \$75.00 per day plus out of pocket expenses. 2 Yes, 0 No David Wartzenuft abstained. Motion carried." There was no public comment. All were in favor. Motion carried.

#### PSATS Annual Meeting Resolutions:

On a motion by David Wartzenuft, seconded by Michele Albright, the Board of Supervisors authorizes the attendance of Nathan Ohlinger at the 2020 PSATS Annual Meeting on behalf of the Township and authorizes the reimbursement of his registration fee and actual mileage. The Board of Supervisors further authorizes the compensation of an amount equal to his wages lost for the time in attendance at the meeting up to \$75.00/day upon presentation of documentation sufficient to support the reimbursement. There was no public comment. 2 Yes, 0 No Nathan Ohlinger abstained. Motion carried.

On a motion by Nathan Ohlinger, seconded by Michele Albright, the Board of Supervisors authorizes the attendance of David Wartzenuft at the 2020 PSATS Annual Meeting on behalf of the Township and authorizes the reimbursement of his registration fee and actual mileage. The Board of Supervisors further authorizes the compensation of an amount equal to his wages lost for the time in attendance at the meeting up to \$75.00/day upon presentation of documentation sufficient to support the reimbursement. There was no public comment. 2 Yes, 0 No David Wartzenuft abstained. Motion carried.

On a motion by David Wartzenuft, seconded by Nathan Ohlinger, the Board of Supervisors authorizes the attendance of Michele Albright at the 2020 PSATS Annual Meeting on behalf of the Township and authorizes the reimbursement of her registration fee and actual mileage. The Board of Supervisors further authorizes the compensation of an amount equal to her wages lost for the time in attendance at the meeting up to \$75.00/day upon presentation of documentation sufficient to support the reimbursement. There was no public comment. 2 Yes, 0 No Michele Albright abstained. Motion carried.

On a motion by David Wartzenuft, seconded by Nathan Ohlinger, the Board of Supervisors authorizes the attendance of Karen Krall, Township Secretary/Treasurer, at the 2020 PSATS Annual Meeting on behalf of the Township, and authorized the reimbursement of her registration fee and actual mileage. The Board of Supervisors further authorizes the compensation of Ms. Krall at her regular employee rate of pay for the time in attendance at the meeting. There was no public comment. 3 Yes, 0 No Motion carried.

On a motion by Nathan Ohlinger, seconded by Michele Albright, the Board of Supervisors appoints Supervisor David Wartzenuft as its delegate for the purpose of casting votes on behalf of the township at the 2020 PSATS Annual Meeting. There was no public comment. 2 Yes, 0 No David Wartzenuft abstained. Motion carried.

#### PSATS Conference/Workshop Resolutions:

On a motion by David Wartzenuft, seconded by Michele Albright, the Board of Supervisors authorizes the attendance of Nathan Ohlinger at the educational workshops hosted by PSATS at their 2020 Conference in May 2020, and authorizes the reimbursement of his registration fee and actual mileage. There was no public comment. 2 Yes, 0 No Nathan Ohlinger abstained. Motion carried.

On a motion by David Wartzenuft, seconded by Nathan Ohlinger, the Board of Supervisors authorizes the attendance of Michele Albright at the educational workshops hosted by PSATS at their 2020 Conference in May 2020, and authorizes the reimbursement of her registration fee and actual mileage. There was no public comment. 2 Yes, 0 No Michele Albright abstained. Motion carried.

On a motion by Nathan Ohlinger, seconded by Michele Albright, the Board of Supervisors authorizes the attendance of David Wartzenuft at the educational workshops hosted by PSATS at their 2020 Conference in May 2020, and authorizes the reimbursement of his registration fee and actual mileage. There was no public comment. 2 Yes, 0 No David Wartzenuft abstained. Motion carried.

On a motion by Nathan Ohlinger, seconded by Michele Albright, the Board of Supervisors authorizes the attendance of the following individuals at the educational workshops hosted by PSATS at their 2020 Conference in May 2020, and authorizes the reimbursement of their registration fees and actual mileage, and in the case where the individual is an employee of the Township at the time of attendance at the Conference, compensation at their regular employee rate for the time in attendance at the workshop(s):

Michael Pott, Roadmaster  
Thomas Weisner, Road Crew Employee  
Edward Korn, Road Crew Employee  
Derick Wartzenuft, Emergency Management Coordinator  
Karen Krall, Secretary/Treasurer  
Duane Bennetch, Alternate Zoning Hearing Board Member

There was no public comment. 2 Yes, 0 No David Wartzenuft abstained. Motion carried.

#### **REPORT OF ROADMASTER**

The Roadmaster informed the Board that the bank repair/stabilization work at the Sally Ann Furnace Road Bridge was completed today.

Update on PennDOT's Forgedale Road Pipe Replacement – SR1021 Forgedale Road has recently been closed so PennDOT could replace the pipe under Forgedale Road just south of the intersection of Forgedale Road and Orchard Road. The Roadmaster informed the Board that he spoke to the PennDOT foreman and understands that Forgedale Road should soon be re-opened.

Part-Time CDL Drivers Update – The Roadmaster informed the Board that one person responded to the advertisement placed in the local Merchandiser. The Roadmaster suggested the Township consider possibly re-advertising for part-time CDL drivers later, and the Board agreed to consider adding information in an upcoming Township Newsletter.

#### **OLD BUSINESS**

Zoning Ordinance Amendment/Update – The Zoning Ordinance Amendment/Update Project is in progress. Township officials plan to continue to review and discuss the draft of the updated Zoning Ordinance at the January 28, 2020 Planning Commission meeting.

Sewage Advisory Committee Update – At the December 12, 2019 Sewage Advisory Committee Meeting, the Committee discussed the village areas of Dryville, Boyers Junction and New Jerusalem and how any current or future failures could be repaired and the potential types of treatment and disposal alternatives to best address these areas. The Committee also briefly discussed the confirmed and suspected malfunctions list for 2007 compared to the listing of sewage permits obtained from 2007-2019. The next meeting of the Sewage Advisory Committee is tentatively planned for March 2020.

Joint Committee to Address Speeding and Traffic Issues (Ruscombmanor Township and Alsace Township) – Ruscombmanor Township is still considering part-time Fleetwood Police coverage and will advise Rockland Township with regard to their interest in participating after a decision is made regarding Fleetwood Police coverage. (Alsace Township is still interested in participating in these discussions.)

Bowers Road (SR1013) – Traffic and Engineering Study Request Update – On December 26, 2019, the Township received correspondence from PennDOT advising that the traffic and engineering studies for Bowers Road were complete. As a result of these studies, PennDOT will establish a 45mph speed limit for Bowers Road. PennDOT also believes the intersection of Bowers Road and SR1010 would benefit by increasing the size of the stop on Bowers Road southbound from 30” x 30” to 36” x 36” and by adding conspicuity plaques to the current road signs on Fleetwood Road. PennDOT will order all related signage and will schedule said signage for installation.

New Jerusalem Intersection – The Board of Supervisors briefly discussed possible safety improvements at the intersection in New Jerusalem at their Year-End Meeting and ultimately decided to discuss this matter further at the January 2020 monthly meeting. After a brief discussion, on a motion by David Wartzenuft, seconded by Nathan Ohlinger, the Board authorized the Township Roadmaster to contact PennDOT to inquire about a traffic and engineering study for the intersection at New Jerusalem and to confirm who would be responsible for the costs and expenses associated with such a study, as well as who would be responsible for the costs related to any recommended improvements at this intersection. There was no public comment. All were in favor. Motion carried.

## **BILLS**

A listing of the unpaid bills as of January 14, 2020 was provided to the Board of Supervisors for approval. The total of the unpaid bills for approval was \$17,183.03 from the General Fund. On a motion by David Wartzenuft, seconded by Nathan Ohlinger, the Board approved payment of the unpaid bills totaling \$17,183.03 from the General Fund. There was no public comment. All were in favor. Motion carried.

## **NEW BUSINESS**

Emergency Management Coordinator Compensation – The Township received a certificate of completion for course ICS-300 (Intermediate Ics for Expanding I) from Derick Wartzenuft (Township EMC). This training consisted of 24 hours. On a motion by Nathan Ohlinger, seconded by Michele Albright, the Board approved compensation to Derick Wartzenuft, Township EMC in the amount of \$225.00 for completion of this EMC training. There was no public comment. Nathan Ohlinger and Michele Albright voted in favor. David Wartzenuft abstained. Motion carried.

Liquor License Transfer Application – 145 Lyons Road – Rockland Township received notification dated January 7, 2020 of the Pennsylvania Liquor License Control Board’s receipt of a transfer application from ELLEN ROSENKRANTZ to SNUZZLES LLC.

Disabled Veterans Real Property Tax Exemption Certification – Rockland Township received correspondence from Rafael Nova, Jr., 127 Beaver Creek Road, confirming that the PA State Veteran’s Commission has determined Mr. Nova demonstrated the required financial need and is recommending the applicant be approved for the exemption of all real estate taxes for 127 Beaver Creek Road. As such, the qualified applicant shall be exempt from real property taxes that become due on or after December 6, 2019. A copy of this notice was also provided to Mollie Prey, Tax Collector for informational purposes.

Zoning Hearing Board Application – 228 Five Points Road – An application was received from Robert & Therese Lea (guardians of the estate of Charles Sydney Lea) to request the necessary relief to allow the renovation of the existing bank barn at 228 Five Points Road for another residence. The Board may provide comments on this application to the Zoning Hearing Board. After a brief review of the application, the Board of Supervisors provided no comments to be forwarded on to the Zoning Hearing Board regarding this application.

Zoning Hearing Board Application – 102 Beaver Creek Road – An application was received from Gary Mengel requesting a special exception to allow the conversion of a single-family dwelling on the property at 102 Beaver Creek Road into two dwelling units. The Board may provide comments on this application to the Zoning Hearing Board. After a brief review of the application, the Board of Supervisors provided no comments to be forwarded on to the Zoning Hearing Board regarding this application.

PSATS Conference (May 3-6, 2020) – The Township received registration materials from PSATS for the 98<sup>th</sup> Annual Educational Conference & Exhibit Show in Hershey, PA. Township officials shall confirm their plans to attend the PSATS Conference with the Township Secretary, so the Secretary can submit on-line registrations. The on-line registration fee is \$160.00/person. Registration begins on January 14, 2020. After April 10, 2020, the on-line registration fee increases to \$210.00/person.

2020 Berks County Public Works Association (BCPWA) Meetings – On a motion by David Wartzluft, seconded by Nathan Ohlinger, the Board approved the road crew employees' attendance at the BCPWA meetings during 2020. There was no public comment. All were in favor. Motion carried.

2020 Finance Officers Associations Meetings and Secretaries Association Meetings – On a motion by Michele Albright, seconded by Nathan Ohlinger, the Board approved the Township Secretary/Treasurer's attendance at the Finance Officers Association meetings and the Secretaries Association meetings offered through Albright College's Center for Excellence in Local Government during 2020 (at a cost not to exceed \$10.00 per meeting). There was no public comment. All were in favor. Motion carried.

39 Bick Road – Well Isolation Distance Exemption – The Township SEO is recommending the Board grant a well isolation distance exemption for 39 Bick Road. All neighboring wells meet the minimum isolation distance of 100 feet. The location of the new septic system will be 68 feet in a lateral direction from the well serving the property. On a motion by Nathan Ohlinger, seconded by Michele Albright, the Board approved granting a well isolation distance exemption for 39 Bick Road, as recommending by the Township SEO. There was no public comment. All were in favor. Motion carried.

## **CORRESPONDENCE**

A listing of correspondence dated January 14, 2020 was presented to the Board of Supervisors for review.

Reports and updates regarding zoning, building, sewage and stormwater issues and activities for December 2019 were provided to the Board of Supervisors for review. One complaint was received by the Township on January 14, 2020.

Complaint Received 1/14/2020 – 11 Essig Drive – Another complaint was received by the Township concerning the accumulation of trash/garbage at 11 Essig Drive. On a motion by David Wartzluft, seconded by Nathan Ohlinger, the Board authorized the Township Zoning Officer to re-inspect the property to check on progress to date and to follow-up as necessary to ensure compliance with Township ordinances and regulations. There was no public comment. All were in favor. Motion carried.

At 7:54PM, the Board went into Executive Session to discuss contractual issues. The meeting reconvened at 8:09AM.

## **UPCOMING MEETINGS/EVENTS:**

Tuesday, January 28, 2020 @ 7:30PM – Planning Commission Meeting (Zoning Ordinance Update Meeting)

Tuesday, February 11, 2020 @ 7:00PM – Board of Supervisors Meeting

**PUBLIC COMMENT**

Mr. Steve Haring questioned whether there were any decisions made in Executive Session. The Township Solicitor confirmed that no official actions were taken.

There was no additional public comment. There being no further business, the meeting was adjourned at 8:12PM on a motion by Nathan Ohlinger, seconded by Michele Albright. Motion carried.

Respectfully submitted,

Karen Krall  
Secretary/Treasurer