

**ROCKLAND TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES**

NOVEMBER 10, 2020

The monthly meeting of the Rockland Township Board of Supervisors was held on November 10, 2020 at 7:00PM at the Rockland Township Municipal Building. The following board members were present: Chairman David Wartzenuft, 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 Wartzenuft. The meeting was opened with the pledge to the flag.

The minutes of the Board of Supervisors' meeting held on October 13, 2020 were presented to the Board for approval. On a motion by Nathan Ohlinger, seconded by Michele Albright, the October 13, 2020 meeting minutes were approved as presented. There was no public comment. All were in favor. Motion carried.

The minutes of the Board of Supervisors' budget meeting held on October 23, 2020 were presented to the Board for approval. On a motion by Nathan Ohlinger, seconded by Michele Albright, the October 23, 2020 budget meeting minutes were approved as presented. There was no public comment. All were in favor. Motion carried.

The balance sheets, check detail and deposit detail for October 2020 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	5,191.88
106.000	General Fund – Savings	1,696,716.87
107.001	General Fund – Savings	7,490.27
107.002	General Fund – Certificate of Deposit	109,120.81
107.006	General Fund – Savings (PRIME)	1,540,722.47
110.000	Petty Cash	200.00
	State Aid Account – Savings	209,631.54
	State Aid Account – Checking	408.84
107.003	Capital Reserve Account – Savings	63,889.61
107.004	Fire Co. Equipment Fund	33,978.00
107.005	Payroll Account – Checking	18,722.01
	Total as of October 31, 2020:	\$3,686,072.30

On a motion by Michele Albright, seconded by David Wartzenuft, the balance sheets, check and deposit details for October 2020 were approved as presented. There was no public comment. All were in favor. Motion carried.

REPORT OF SOLICITOR

Forgedale Road Closure & Road Repairs - UPDATE – The Berks County Maintenance Unit is scheduled to perform the pipe replacement and repairs to Forgedale Road (SR1021) starting November 16, 2020, and Forgedale Road should be open to traffic by November 20, 2020. PennDOT will also be addressing the concerns and issues of the two affected property owners.

Stonefield Heights Subdivision Improvements (Steep Lane) – Jessica Adams, Township Engineer prepared the punch list of outstanding improvements. On a motion by David Wartzenuft, seconded by Michele Albright, the Township Solicitor was authorized to send the punch list to the developer and request that the developer attend the next monthly meeting of the Board of Supervisors to be held on Tuesday, December 8, 2020 to discuss the outstanding improvements and to discuss a deadline for completion of these improvements; in addition, the Board confirmed that Township Engineer Jessica Adams should plan to attend the December 8, 2020 meeting. There was no public comment. All were in favor. Motion carried.

At 7:04PM, the meeting was briefly adjourned to conduct an Executive Session to discuss an existing lawsuit.

At 7:20PM, the meeting reconvened. On a motion by David Wartzluft, seconded by Michele Albright, the Board authorized Township legal counsel (including both Jim Smith and David Sobotka) to enter into the terms of a settlement agreement with the attorney for the property owner of 102 Beaver Creek Road which would settle and end the existing lawsuit. There was no public comment. All were in favor. Motion carried.

REPORT OF ROADMASTER

Hertzog School Road Turnaround – The Township Roadmaster and Township Solicitor recently met at the planned turnaround location at 72 Hertzog School Road. The Township Solicitor informed the Board that he will work on the preparation of an agreement summarizing that the Township will perform minor driveway improvements to the existing driveway at 72 Hertzog School Road in exchange for the Township's use of the driveway as a turnaround location for Township trucks and equipment.

Removal of Dead Ash Trees Along Roadway – The Township Solicitor recommended the Board consider adopting a resolution which would officially adopt procedures for how the Township will provide notification to the property owners of the need to remove trees in excess of 6" which present a hazardous or dangerous condition along Township roadways. Jim Smith suggested these procedures include a "First Notice" to the property owner in advance of the meeting where the Board will take testimony in support of finding that any tree in excess of 6" in diameter creates a hazardous or dangerous condition (encouraging the property owner to attend the meeting to discuss the matter). At this meeting, the Board shall then vote to authorize the sending of a "Second Notice" to the property owner allowing for the property owner to remove any hazardous or dangerous tree(s) by a specific date, otherwise the tree(s) will be removed by the Township. On a motion by Nathan Ohlinger, seconded by David Wartzluft, the Board authorized the Township Secretary and Township Solicitor to work on preparation of a resolution for Board consideration to officially adopt procedures and sample letters to provide adequate notification to property owners with dead or hazardous/dangerous trees. There was no public comment. All were in favor. Motion carried.

Mr. Michael Snyder, 35 Bick Road inquired about the removal of a dead tree on his property. The Township Roadmaster believed the trees to be outside of the Township road right-of-way and therefore would be the property owner's responsibility. The Township Roadmaster offered to provide traffic control if/when the property owner plans to take the tree down, but confirmed that Township will not remove trees located on private property (outside the legal road right-of-way).

Mr. Rob Ralston, 68 Keller Road inquired as to whether there were any code or zoning regulations pertaining to the removal of trees (particularly dead trees) on a property. Township officials informed Mr. Ralston that the removal of one or two dead or diseased trees liked would not be an issue, but if significant tree removal and removal of stumps is planned, permits/approvals may likely be required for compliance with the Township's Stormwater Ordinance.

Henry Road and Lyons Road Intersection – PennDOT confirmed that the stop sign on Lyons Road will be moved back a sufficient distance to help alleviate confusion for motorists entering the 5-way intersection from Henry Road.

Speed Detection/Monitoring Device – Reports obtained from the JAMAR device were provided to the Board and discussed (Lake Road).

OLD BUSINESS

68 Keller Road – Drainage/Zoning Issues – The Township Solicitor mailed correspondence to the property owner (along with a copy of the Township Engineer's Site Investigation Report) and requested submittal of a plan for remediation to the Township by December 4, 2020 (for consideration at the December 8, 2020 meeting). Mr. Rob Ralston, 68 Keller Road requested clarification as to what the Township is requesting. The Township Solicitor and Township officials advised Mr. Ralston that there are some issues at the property which need to be addressed. Mr. Ralston confirmed that he plans to attend the December 8, 2020 monthly Board meeting.

Forgedale Road Bridge Over Bieber Creek – At the April 9, 2019 public meeting, questions were raised about the final appearance of the proposed structure and if there were any architectural treatments available. PennDOT has evaluated the available architectural treatments and presented four options for the public to provide input on the preferred option which will be developed for the final appearance of the new bridge. In light of the pandemic, PennDOT has decided to proceed with a Virtual Public Plans Display to distribute the survey for public input, in lieu of an in-person meeting open to the public. PennDOT mailed approximately 37 surveys to Township officials, representatives of the local emergency responders and school district, as well as to all Township residents who attended the April 9, 2019 public meeting (most of these attendees were abutting property owners along Forgedale Road). The Virtual Public Plans Display has been advertised and presentation boards were made available for display at the Township Municipal Building and posted on the Township website. PennDOT is requesting public input by November 13, 2020. Township Supervisor Nathan Ohlinger recommended a meeting with PennDOT engineers/designers. The Township Solicitor advised that an in-person meeting with PennDOT appears unlikely due to the pandemic. Township Supervisor Nathan Ohlinger also expressed concern that the option ultimately selected by PennDOT may not be the option preferred by local elected officials. The Township Solicitor recommended the Board reach out to PennDOT to obtain copies of all survey results submitted by the public. Township officials also expressed concern with one planned detour route utilizing all State roads (including Lobachsville Road). After a brief discussion, on a motion by Michele Albright, seconded by David Wartzenuft, the Board authorized the Township Solicitor and Township Secretary to compile the Board's concerns with the planned detour route and include reasons and recommendations in support of consideration of an alternate detour route, then prepare a letter to PennDOT in order to communicate the Township's concerns and to request a copy of the public survey results. There was no public comment. All were in favor. Motion carried.

Zoning Ordinance Amendment/Update – The Zoning Ordinance Amendment/Update is in progress. Township officials plan to continue to review and discuss the draft of the newly updated Zoning Ordinance at the next meeting of the Planning Commission scheduled for Tuesday, November 24, 2020.

Sewage Advisory Committee Meeting – The next meeting of the Sewage Advisory Committee is planned for early December 2020.

BILLS

A listing of the unpaid bills as of November 10, 2020 was provided to the Board of Supervisors for approval. The total of the unpaid bills for approval was \$23,701.68 from the General Fund. On a motion by David Wartzenuft, seconded by Nathan Ohlinger, the Board approved payment of the unpaid bills totaling \$23,701.68 from the General Fund. There was no public comment. All were in favor. Motion carried.

NEW BUSINESS

Proposed 2021 Budget – The proposed 2021 budget (with no proposed tax increase) is prepared and ready for approval for advertising for consideration for adoption at the December 8, 2020 meeting. On a motion by Nathan Ohlinger, seconded by Michele Albright, the Board approved the proposed 2021 budget for advertising for consideration for adoption at the December 8, 2020 meeting. There was no public comment. All were in favor. Motion carried.

2021 Animal Control Services Agreement – Lisa Poper from Safety Net Sanctuary is requesting a signed copy of the 2021 Animal Control Services Agreement, with the understanding that the \$2,000.00 donation for 2021 will not be paid until calendar year 2021. On a motion by Nathan Ohlinger, seconded by Michele Albright, the 2021 Animal Control Services Agreement with Safety Net Sanctuary was approved for signature and forwarding to Safety Net Sanctuary. There was no public comment. All were in favor. Motion carried.

Derick Wartzenuft, Township Emergency Management Coordinator, provided the Township with a certificate of training from Berks County Department of Emergency Services confirming the completion of a course (Disasters in Disasters) dated 9/30/2020. On a motion by Michele Albright, seconded by Nathan Ohlinger, the Board approved payment in the amount of \$75.00 to Derick Wartzenuft for completion of this course/training. There was no public comment. Michele Albright and Nathan Ohlinger voted in favor. David Wartzenuft abstained. Motion carried.

CORRESPONDENCE

A listing of correspondence dated November 10, 2020 was presented to the Board of Supervisors for review.

Reports and updates regarding zoning, building, sewage and stormwater issues and activities for October 2020 were provided to the Board of Supervisors for review.

22 Lobachsville Road – The Board acknowledged receipt of recent complaints regarding burning violations occurring again at 22 Lobachsville Road. The Township Zoning Officer was also contacted directly, and Township Zoning Officer informed the Board that a Notice of Violation will be sent to the property owner.

82 Lyons Road – The Township Zoning Officer reported that she conducted a site inspection and made the determination that no violations exist at the property. The Township Zoning Officer considers this matter addressed.

11 Essig Drive – The Township Zoning Officer reported progress with clean-up at 11 Essig Drive.

119 Kutz Road – The Township Zoning Officer reported progress with clean-up at 119 Kutz Road. The Board was in agreement with the Township Zoning Officer to allow additional time for compliance, due to progress made to date.

UPCOMING MEETINGS/EVENTS:

Tuesday, November 24, 2020 @ 7:30PM - Planning Commission Meeting (Zoning Ordinance Update Meeting)

Tuesday, December 8, 2020 @ 7:00PM – Board of Supervisors Meeting

PUBLIC COMMENT

There was no public comment.

There being no further business, the meeting was adjourned at 8:03PM on a motion by Nathan Ohlinger, seconded by David Wartenluft. Motion carried.

Respectfully submitted,

Karen Krall
Secretary/Treasurer