

**ROCKLAND TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES**

**APRIL 13, 2021**

The monthly meeting of the Rockland Township Board of Supervisors was held on April 13, 2021 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 Township Solicitor Jim Smith, Township Engineer Jessica Adams 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 March 9, 2021 were presented to the Board for approval. On a motion by Nathan Ohlinger, seconded by Michele Albright, the March 9, 2021 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 March 2021 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	4,157.90
102.000	HRA Fund	12,712.03
106.000	General Fund – Savings	1,687,361.18
107.001	General Fund – Savings	8,094.70
107.002	General Fund – Certificate of Deposit	112,000.00
107.006	General Fund – Savings (PRIME)	1,541,182.35
110.000	Petty Cash	200.00
	State Aid Account – Savings	396,801.74
	State Aid Account – Checking	408.94
107.003	Capital Reserve Account – Savings	113,894.25
107.004	Fire Co. Equipment Fund	40,000.00
107.005	Payroll Account – Checking	19,390.86
	<b>Total as of March 31, 2021:</b>	<b>\$3,936,203.95</b>

On a motion by Michele Albright, seconded by Nathan Ohlinger, the balance sheets and check and deposit details for March 2021 were approved as presented. There was no public comment. All were in favor. Motion carried.

Mr. Nathan Keller, Lyons Fire Company requested to speak to the Board to discuss run card changes. Mr. Keller provided a copy of the updated run cards to the Board for their review and advised that the updates to run cards are needed to update apparatus due to fire department changes and upgrades to apparatus/equipment. The County has reviewed the proposed run card changes, as well. On a motion by David Wartzenuft, seconded by Nathan Ohlinger, the Board approved Resolution #2021-05 authorizing changes to specific fire and EMS run cards (specifically #87-35-575-100-8710, #87-35-575-110-8711, #87-35-575-130-8713, #87-35-690-200-8720, #87-35-565-210-8721, #87-35-690-300-8730 and #87-35-575-120-8712) for Rockland Township as recommended by Mr. Nathan Keller, Chief, Lyons Fire Company. Mr. Jerry Keller mentioned that the run cards for Rockland Township will likely need to be updated again in a year or so to keep apparatus listed on run cards current. There was no additional public comment. All were in favor. Motion carried.

Mr. Duane Bennetch requested to be added to tonight's meeting agenda to share some information with the Board regarding excessive Deka traffic in the Township. Mr. Bennetch recently discussed traffic and safety concerns associated with Deka traffic with Alsace Township Supervisor Mike Stump and briefly discussed the possibility of proposing busing opportunities for employees to/from Deka. Offering busing to/from Deka during specific shift changes would reduce traffic volume and reduce emissions. Mr. Bennetch recommended contacting other municipalities impacted by Deka traffic (such as Alsace Township and Ruscombmanor Township) to pursue a joint effort to approach the County Commissioners and the City of Reading to explore this option further. Chairman David Wartzenuft mentioned that Deka already provides BARTA busing for employees. Township officials suggested perhaps Deka would consider increasing incentives to employees to

utilize busing, if/when approached by multiple municipalities to address traffic volumes and safety concerns. Township officials also acknowledged receipt of a letter dated 3/29/2021 from the Ruscombmanor Township Board of Supervisors regarding joint efforts to address excessive speeding and reckless driving associated with increased Deka traffic at certain times of the day. After the brief discussion, Township Supervisor Michele Albright agreed reach out to Ruscombmanor Township and Alsace Township to discuss the possibility of a joint and more-unified approach to effectively address the excessive speeding and increase traffic volumes in our communities.

**2021 ROAD PROJECT – Bid Opening at 7:15PM**

The 2021 Road Project Bid Opening was advertised for 7:15PM. The 2021 Road Project includes double chip seal of Sally Ann Furnace Road (from Smoketown Road to Township line), Hertzog School Road (0.46 mile only from Fredericksville Road), and Sheep Hill Road (from Forgedale Road to Orchard Road intersection) and single chip seal of Forrest Road (from Township line to end of road). Two bids were received. The Township Solicitor opened the bids and read the results aloud.

**MARTIN PAVING, INC. – LITITZ, PA**

	<u>Unit Price</u>	<u>Total</u>
1- 19,728 SY – Construct Double Bituminous Seal Coat as per Pub 408 Sec 470	\$2.895	\$57,112.56
2- 5,125 SY – Construct Double Bituminous Seal Coat as per Pub 408 Sec 470	\$2.895	\$14,836.87
3- 8,248 SY – Construct Double Bituminous Seal Coat as per Pub 408 Sec 470	\$2.895	\$23,877.96
4- 8,917 SY – Construct Single Bituminous Seal Coat as per Pub 408 Sec 470	\$1.46	<u>\$13,018.82</u>
TOTAL BID AMOUNT:		\$108,846.21

**ASPHALT MAINTENANCE SOLUTIONS, LLC – CENTER VALLEY, PA**

	<u>Unit Price</u>	<u>Total</u>
1- 19,728 SY – Construct Double Bituminous Seal Coat as per Pub 408 Sec 470	\$2.68	\$52,871.04
2- 5,125 SY – Construct Double Bituminous Seal Coat as per Pub 408 Sec 470	\$2.68	\$13,735.00
3- 8,248 SY – Construct Double Bituminous Seal Coat as per Pub 408 Sec 470	\$2.68	\$22,104.64
4- 8,917 SY – Construct Single Bituminous Seal Coat as per Pub 408 Sec 470	\$2.68	<u>\$23,897.56</u>
TOTAL BID AMOUNT:		\$112,608.24

The Board of Supervisors and the Township Solicitor reviewed the bid. The Township Solicitor reviewed the advertisement and confirmed that the Township reserved the right to reject any and all bids. Therefore, at the recommendation of the Township Solicitor, on a motion by David Wartzenuft, seconded by Nathan Ohlinger, the Board rejected all bids received for the 2021 Road Project (due to the fact that the Board believed a patent error occurred with the unit pricing provided by one of the bidders). There was no public comment. All were in favor. Motion carried. On a motion by David Wartzenuft, seconded by Nathan Ohlinger, the Board authorized the 2021 Road Project be readvertised for bid opening at next month’s meeting to be held on May 11, 2021 at 7:15PM. There was no public comment. All were in favor. Motion carried.

**REPORT OF SOLICITOR**

At last month’s meeting, the Board briefly discussed the development of specific criteria to be used in determining whether or not to include information in the Township Newsletter (and ultimately tabled this discussion). From time to time the Township receives requests to include information in the Township Newsletter for distribution to residents and property owners. After a brief discussion, Township officials noted that all Township Newsletters are printed and mailed using Township funds, and therefore the Board agreed to limit information/content for inclusion in the Township Newsletter to those entities that are funded annually by the municipality (such as the Brandywine Community Library, Lyons Fire Company and Ruscombmanor Fire Company) – similar to the policy used to date. The Township Solicitor was asked to prepare a draft resolution for the Board’s consideration for adoption reflecting this policy pertaining to information/content for inclusion in Township Newsletters.

**REPORT OF ROADMASTER**

Dead/Dangerous Trees in Right-Of-Way – The Township Roadmaster informed the Board that the dead or dangerous trees located in the Township road right-of-way area at the following locations were felled: 84 Schweitz Road, 65 Sally Ann Furnace Road and 104 Schweitz Road.

2021-2022 Berks County Cooperative Purchasing Council Joint Bid for Road Salt – On a motion by David Wartzenuft, seconded by Michele Albright, the Board approved participation with the 2021-2022 Berks County Cooperative Purchasing Council Joint Bid for road salt for a quantity of 500 tons. There was no public comment. All were in favor. Motion carried.

The Township Roadmaster informed the Board that PennDOT maintenance forces plan to perform oil and chip repair on the following State roads during the spring/summer months of 2021: Lobachsville Road, Forgedale Road, Dryville Road, Smoketown Road and Pricetown Road.

Turnaround at Hertzog School Road – The Township Roadmaster confirmed with the property owners of 93 Hertzog School Road their willingness to consider an easement agreement with the Township for the establishment of a designated turnaround area for Township vehicles (and fire apparatus and emergency vehicles). On a motion by David Wartzenuft, seconded by Nathan Ohlinger, the Board authorized the Township Solicitor and Township Roadmaster to work together to prepare an easement agreement for the property owners' of 93 Hertzog School Road (Jerry and Kathleen Anderson) and the Board's consideration. There was no public comment. All were in favor. Motion carried.

Mr. Edward Goodhart, 39 Stimmel Road suggested that if PennDOT is in area to perform oil and chip repair to Forgedale Road, perhaps PennDOT should look at the culverts they recently replaced (between Pricetown Road and Dryville). According to Mr. Goodhart, it does not appear that the drainage culverts were filled in properly. The Township Roadmaster mentioned that he would pass along Mr. Goodhart's concerns to PennDOT.

Henry Road Bridge – Update – The Township Roadmaster and Township Supervisor Nathan Ohlinger met at Henry Road bridge to see whether the barriers (as discussed at last month's meeting) would be a viable option. In short, both agreed the barriers will not work. However, the Roadmaster and Supervisor Ohlinger then discussed the possibility of installing some type of physical roadway feature to discourage and block movements of vehicles (such as a median barrier, island, diverter, etc.). The Roadmaster informed the Board that a traffic/engineering study would be required prior to the installation of any physical roadway feature. On a motion by Nathan Ohlinger, seconded by Michele Albright, the Township Roadmaster was authorized to proceed with contacting LTAP and the County to further assess the viability of the use of a median barrier or other physical roadway feature at the Henry Road bridge. There was no public comment. All were in favor. Motion carried.

Township Supervisor Michele Albright inquired whether the Township Roadmaster placed the speed monitoring device along any roads recently. The Roadmaster mentioned that he will place the device along Lake Road again, and the Board requested the device be moved to other roads throughout the Township to collect data.

## **OLD BUSINESS**

Hogan Learning Academy Land Development Plan Final Plan (Phase 1) – Brian Boyer, Boyer Engineering provided revised final plan copies of the Hogan Learning Academy Land Development Plan for Phase 1. Rockland Township also received a cost estimate and a copy of the NPDES and E&S permit. The Township Engineer provided a review letter. The Phase 1 plan was previously approved by the Board, pending NPDES and E&S approval. The Township Engineer confirmed that the only pending items to be addressed are the agreements and financial securities, escrows, etc. which the attorneys are working on. On a motion by David Wartzenuft, seconded by Nathan Ohlinger, the Board approved the Hogan Learning Academy Land Development Plan Final Plan (Phase 1) for signature conditioned upon the completion of the agreements and required financial securities. There was no public comment. All were in favor. Motion carried.

Stonefield Heights Subdivision Improvements (Steep Lane) – The Township Solicitor informed the Board that the last communication with Mr. Jerome Lendacki and the Township was back in January 2021, and the Township has not yet received a cost estimate from Mr. Lendacki. Therefore, the Township Solicitor recommended the Board consider writing to Mr. Lendacki to attempt to establish a firm deadline. On a motion by Michele Albright, seconded by David Wartzenuft, the Board authorized the Township Solicitor to reach

out to Mr. Jerome Lendacki with one last opportunity to provide the Township with a cost estimate and to negotiate and address all pending items on the punch list provided. And, if no response from Mr. Lendacki within 10 business days, then the Board authorizes the Township Solicitor to proceed with legal action. There was no public comment. Michele Albright and David Wartzluft voted in favor. Nathan Ohlinger abstained. Motion carried.

68 Keller Road – Drainage/Zoning Issues – Update – The Township Engineer confirmed receipt of a diagram/sketch from the Ralstons on 4/13/2021 depicting the changes to the property since 2016; however, the Township Engineer did not have an opportunity to review the diagram/sketch prior to tonight's meeting. The Township Engineer informed the Board that no building permit application or stormwater or drainage plan was received for the building on the property, and the property owner will likely need to address the changes to the vegetation on the property. The Township Solicitor recommended the Board consider allowing the Ralstons ten days to provide the information requested by the Township. If after the ten days, the requested information is not received (and after the Township Solicitor is able to review the Township Engineer's report), the Township Solicitor would like authorization from the Board to proceed with legal action. Mr. Robert Ralston IV was in attendance and requested clarification on the information to be submitted to the Township. Mr. Ralston also requested a report from the Township outlining the violations that exist on his property. The Township Solicitor and Township Engineer recommended Mr. Ralston review the Site Investigation Report from September 2020, which mentioned no permits or approvals were obtained in advance for adding a pool and horse shed on the property, driveway expansion, removal of trees, and no stormwater or drainage plan was submitted to the Township to address all the changes to the property and its impact on stormwater and drainage (for all cumulative impervious coverage added after 2018 per the Township Stormwater Ordinance). Mr. Ralston reminded Township officials that his neighbors removed trees as well, and that the flooding experienced this past summer was unprecedented. After a brief discussion, on a motion by David Wartzluft, seconded by Michele Albright, the Board agreed to establish a short timeframe of ten days for the property owners of 68 Keller Road to provide all the information requested and required, and if nothing is received or the information received is not to the satisfaction of the Township Engineer, the Township Solicitor was instructed to proceed with legal action. There was no public comment. All were in favor. Motion carried.

Mr. Larry Waldbiesser/Ruscombmanor Fire Company – Mr. Waldbiesser was present at tonight's meeting again to request that the Board of Supervisors consider providing the additional \$1,100.00 to Ruscombmanor Fire Company toward the purchase of air masks. The approximate \$1,100.00 reflects the difference between \$5,751.45 (which was the total amount requested toward purchase of the air masks) and Rockland Township's 2021 donation amount of \$4,600.00 which the Board agreed to release to the Ruscombmanor Fire Company at the April 13, 2021 meeting. The Board of Supervisors advised Mr. Waldbiesser that Township officials did not feel comfortable with agreeing to additional funding at this time without receiving proof of a financial audit being conducted and a complete call breakdown.

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, April 27, 2021 at 7:30PM.

Sewage Advisory Committee Meeting – The Township Secretary/Treasurer contacted Ed McCorkle at Bursich Associates to attempt to identify proposed dates for the next Sewage Advisory Committee Meeting. Ed McCorkle is requesting that the Board confirm their preference with regard to the date and timing of the next meeting. After a brief discussion, the Board instructed the Township Secretary to request proposed dates from Ed McCorkle for July 2021 or August 2021 for the next Sewage Advisory Committee meeting.

## **BILLS**

A listing of the unpaid bills as of April 13, 2021 was provided to the Board of Supervisors for approval. The total of the unpaid bills for approval was \$23,115.32 from the General Fund. On a motion by Michele Albright, seconded by Nathan Ohlinger, the Board approved payment of the unpaid bills totaling \$23,115.32 from the General Fund. There was no public comment. All were in favor. Motion carried.

## **NEW BUSINESS**

Township Emergency Management Coordinator Derick Wartzenuft provided the Township with two certificates of training from the Berks County Department of Emergency Services confirming the completion of two courses (“ERG & Hazmat Awareness” dated 10/28/2020 and “Knowledge Center” dated 2/24/2021). On a motion by Michele Albright, seconded by Nathan Ohlinger, the Board approved payment in the amount of \$150.00 (at \$75.00/course) to Derick Wartzenuft for this completed training. There was no public comment. Michele Albright and Nathan Ohlinger voted in favor. David Wartzenuft abstained. Motion carried.

On March 11, 2021, President Biden signed a \$1.9 trillion federal coronavirus relief package, known as the AMERICAN RESCUE PLAN ACT OF 2021. Municipalities in Pennsylvania will split \$936 million based on population. This means that EVERY township will receive funding from this act. Rockland Township expects to receive approximately \$377,873.00. The state will distribute the funding (50% distribution in June 2021 and the remaining 50% in June 2022), and townships will have until December 31, 2024 to spend the funds on the following:

- To respond to COVID-19 and assist impacted households, small businesses, non-profits, and industries, such as tourism, travel and hospitality;
- To give premium pay to eligible local government workers who have been performing essential work during COVID-19 or provide grants to employers of eligible workers.
- To provide government services impacted by lost revenue since the onset of COVID-19; or
- To invest in water, sewer, or broadband infrastructure. (Note: Roads and bridges are not included.)
- *\*The money cannot be used to support pension funds or provide direct tax cuts.*

## **CORRESPONDENCE**

A listing of correspondence dated April 13, 2021 was presented to the Board of Supervisors for review.

Reports and updates regarding zoning, building, sewage and stormwater issues and activities for March 2021 were provided to the Board of Supervisors for review. Direction was requested from the Board regarding a few complaints recently received.

53 Lake Road – Complaint received regarding a barking dog. On a motion by David Wartzenuft, seconded by Nathan Ohlinger, the Board authorized this complaint be forwarded on to Mack Engineering (Township Zoning Officer) for investigation and follow-up. There was no public comment. All were in favor. Motion carried.

123 Beaver Creek Road – Complaint received regarding chickens. On a motion by David Wartzenuft, seconded by Michele Albright, the Board authorized this complaint be forwarded on to Mack Engineering (Township Zoning Officer) for investigation and follow-up. There was no public comment. All were in favor. Motion carried.

39 Orchard Road – Complaint received regarding accumulation of trash/junk. On a motion by Nathan Ohlinger, seconded by David Wartzenuft, the Board authorized this complaint be forwarded on to Mack Engineering (Township Zoning Officer) for investigation and follow-up. There was no public comment. All were in favor. Motion carried.

The Board acknowledged receipt of a recent complaint regarding speeding, increased traffic volume and cars not stopping at the stop sign at the intersection of Forgedale Road and Orchard Road.

## **UPCOMING MEETINGS/EVENTS:**

Tuesday, April 27, 2021 @ 7:30PM - Planning Commission Meeting (Zoning Ordinance Update Meeting)

Tuesday, May 11, 2021 @ 7:00PM – Board of Supervisors Meeting

**PUBLIC COMMENT**

Mrs. Vanessa Ralston, 68 Keller Road provided Township officials with a copy of an Earth Disturbance Inspection Report from the Berks County Conservation District pertaining to an inspection performed at 68 Keller Road on 3/24/2021. Mrs. Ralston also requested a report from the Township outlining all violations at 68 Keller Road. The Township Engineer and Township Solicitor informed Mrs. Ralston that the requested report would be provided by the Township.

There was no additional public comment.

There being no further business, the meeting was adjourned at 9:02PM on a motion by David Wartzluft, seconded by Nathan Ohlinger. Motion carried.

Respectfully submitted,

Karen Krall  
Secretary/Treasurer