

**ROCKLAND TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES**

**JUNE 11, 2019**

The monthly meeting of the Rockland Township Board of Supervisors was held on June 11, 2019 at 7:00PM at the Rockland Township Municipal Building. The following board members were present: Chairman Duane Bennetch, Vice Chairman Nathan Ohlinger and David Wartzenuft. Also present were Attorney Alfred Crump (for Attorney Jim Smith, Township Solicitor) and interested citizens.

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

The minutes of the Board of Supervisors' meeting held on May 14, 2019 were presented to the Board for approval. On a motion by Nathan Ohlinger, seconded by David Wartzenuft, the May 14, 2019 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 May 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	4,397.99
106.000	General Fund – Savings	1,225,826.01
107.001	General Fund – Savings	1,823.52
107.002	General Fund – Certificates of Deposits	209,120.81
107.006	General Fund – Savings (PRIME)	1,411,821.61
110.000	Petty Cash	200.00
	State Aid Account – Savings	245,747.01
	State Aid Account – Checking	406.59
107.003	Capital Reserve Account – Savings	148,735.94
107.004	Fire Co. Equipment Fund	8,978.00
107.005	Payroll Account – Checking	18,783.16
	<b>Total as of May 31, 2019:</b>	<b>\$3,275,840.64</b>

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

Ms. Lisa Poper, Safety Net Sanctuary planned to attend tonight's meeting; however, she called shortly before the meeting began to inform the Board that she would be unable to attend. The Township received an Animal Control Service Agreement from Safety Net Sanctuary, and a copy of the agreement was provided to the Board for consideration. After briefly reviewing the agreement, on a motion by David Wartzenuft, seconded by Nathan Ohlinger, the Board decided to table this matter until next month (as the Board had some questions pertaining to the agreement and to allow time for the Township Solicitor to review the agreement). There was no public comment. All were in favor. Motion carried.

**REPORT OF SOLICITOR**

Sign Ordinance for Posting Truck Restrictions on Henry Road (Henry Road Bridge) – Attorney Smith reviewed and proposed a draft ordinance and expressed concern to the Board that the ordinance may not be legally enforceable without a complete engineering study concluding that the bridge may be damaged or destroyed unless use by specific vehicles is prohibited. The Board noted that the number of incidents occurring with larger vehicles utilizing Henry Road Bridge and damaging the walls of the bridge seems to have decreased significantly. After a brief discussion, on a motion by David Wartzenuft, seconded by Nathan Ohlinger, the Board authorized the Township Secretary to contact LTL Consultants, Ltd. to obtain a cost estimate to provide the engineering study as recommended by the Township Solicitor. There was no public comment. All were in favor. Motion carried.

## **REPORT OF ROADMASTER**

Henry Road Bridge Update – The Roadmaster obtained information on trail/hunting camera options. One camera would cost approximately \$249.00, but this does not include a cellular subscription of approximately \$15.00/month. After a brief discussion, the Board opted to hold off on proceeding with cameras as it seems the steps taken by the Township recently to deter large trucks from using the Henry Road bridge are working effectively.

Clay Valley Road Complaint – Update – The Roadmaster informed the Board that he followed up with the property owner regarding the shrubs located in the right-of-way area which block site distance. The property owner has trimmed the shrubs thereby increasing site distance, so the Roadmaster is satisfied with the property owner's efforts and considers this complaint closed.

Sale of 1991 Case Loader via Municibid – The 1991 Case loader was listed for sale on Municibid. Unfortunately, the auction ended without a qualifying bid (as our reserve price was not met). After a brief discussion, on a motion by David Wartzluft, seconded by Nathan Ohlinger, the Board rejected all bids via Municibid (as the reserve price was not met), and the Board decided to consider re-listing the loader for sale with Municibid in September/October 2019. There was no public comment. All were in favor. Motion carried.

2019-2020 Rock Salt Bid (Berks County Cooperative Purchasing Council) – The low bidder was Eastern Salt Company, Inc. at \$62.00/ton.

## **OLD BUSINESS**

### FORGEDALE ROAD BRIDGE REPLACEMENT PROJECT (PENNDOT):

- Speed Study – Per discussion at last month's meeting, the Township Secretary obtained additional information from PennDOT regarding a request for a speed study, and this information was provided to the Board. Ms. Cathy Longenecker informed the Township that the municipality would need to request a "Traffic and Engineering Study" from PennDOT, as opposed to a "speed study". The municipality should include the reason(s) the study is being requested (such as to evaluate reducing the posted speed limit) and should include justification for the request such as high incidence of accidents or limited sight distances. Ms. Longenecker also advised that, under these circumstances, the cost for the study would be 100% State responsibility. However, if any engineering studies would not be for a specific PennDOT project (and if the PennDOT project involved work for the benefit of a municipality), there could be a cost sharing requirement and there would no guarantee of costs being 100% State responsibility. If the request is to lower the posted speed limit to below 35 mph and the request is ultimately approved, then the Township much agree to pay for the signs. After discussion, on a motion by Duane Bennetch, seconded by Nathan Ohlinger, the Board requested the Township Secretary gather the necessary information to accompany a "Traffic and Engineering Study" request to be submitted to PennDOT including a crash/accident report from the PA State Police. There was no public comment. All were in favor. Motion carried.
- Proposed Detour Route – Following last month's meeting, the Township Secretary informed Mike Mogan that the Township was not in agreement to utilizing Orchard Road as a detour route for this project. The Township is still awaiting confirmation of the planned detour route for this project from Mike Mogan and PennDOT.

Digital Speed Signs – Per discussion at last month's meeting, the Township Secretary/Treasurer provided the Board with the requested budget information, and Attorney Smith was to confirm whether Rockland Township had authority to place such signs along State roads in the Township. The Board reviewed the budget information provided by the Township Secretary/Treasurer and noted that the budget may allow for the consideration of one speed monitoring device if the cost is approximately \$2,500.00. However, prior to making any decision, the Board will await further information from the Township Solicitor.

Zoning Ordinance Amendment/Update – The Zoning Ordinance Amendment/Update is in progress. Township officials plan to review and discuss the draft of the newly updated Zoning Ordinance from Ludgate Engineering at the June 25, 2019 Planning Commission meeting.

Sewage Advisory Committee Update – The next meeting of the Sewage Advisory Committee will be scheduled once the outline is received from Edward McCorkle, Bursich Associates.

Township Newsletter (June 2019) – A draft of the June 2019 Township Newsletter was provided to the Board in advance of tonight's meeting. On a motion by Nathan Ohlinger, seconded by Duane Bennetch, the Board approved the draft of the June 2019 Township Newsletter for forwarding to Heffner Printing for printing and mailing. There was no public comment. All were in favor. Motion carried.

### **BILLS**

A listing of the unpaid bills as of June 11, 2019 was provided to the Board of Supervisors for approval. The total of the unpaid bills for approval was \$101,675.29 from the General Fund. This list includes the following donations per the approved 2019 budget: \$16,000.00 to Lyons Fire Company, \$4,000.00 to Ruscombmanor Fire Company, \$6,000.00 to Brandywine Community Library, \$3,778.00 to Topton Community Ambulance Service, Inc., \$250.00 to Albright College-CELG, \$150.00 to Berks Visiting Nurse Association, \$100.00 to Crime Alert Berks County and \$50.00 to the Kutztown Area Historical Society. On a motion by David Wartzluft, seconded by Nathan Ohlinger, the Board approved payment of the unpaid bills totaling \$101,675.29 from the General Fund. There was no public comment. All were in favor. Motion carried.

The approved 2019 budget includes a payment of \$10,000.00 to the Township's Fire Company Equipment Fund. On a motion by David Wartzluft, seconded by Nathan Ohlinger, the Board approved the transfer of \$10,000.00 from the General Fund to the Township's Fire Company Equipment Fund. There was no public comment. All were in favor. Motion carried.

### **NEW BUSINESS**

Zoning Hearing Board Application – 55 Deysher Road – A variance application was received from Keegan & Melanie Linder, 55 Deysher Road seeking relief from the 30' side yard setback to construct a 24' x 24' detached garage. The Board was provided an opportunity to review the variance application and provide comments to the Zoning Hearing Board in advance of the public hearing scheduled for Wednesday, July 17, 2019 at 7:00PM at the Rockland Township Municipal Building. The Board briefly reviewed the application and provided no comments on this application to pass along to the Zoning Hearing Board.

### **CORRESPONDENCE**

A listing of correspondence dated June 11, 2019 was presented to the Board of Supervisors for review.

Reports and updates regarding zoning, building, sewage and stormwater issues and activities for May 2019 were provided to the Board of Supervisors for review. Direction was needed from the Board on several code-related matters.

Five Points Road Complaint (RV parking & driveway extended too close to property line) – The Township Secretary sent a letter to the complainant, and a response was received back from the complainant which was shared with the Board. After a brief discussion with the complainant, the Board encouraged the complainant to get a survey of their property to determine the exact location of the property line.

Traffic Concerns Along Lyons Road (Safety concerns due to speeding and traffic not obeying rules pertaining to school buses) - Township Supervisor David Wartzluft informed the Board that he reached out to the Superintendent of the Brandywine Heights Area School District to notify him of these safety concerns. Supervisor Wartzluft's understanding is that the school district's Transportation Department intends to address these types of safety concerns with their bus drivers.

Solicitation Permit Concerns – The Township received communication from a Township resident requesting Rockland Township stop issuing solicitation permits. The Township Solicitor mentioned that solicitation permits are issued in accordance with the Township’s adopted Solicitation Ordinance, and the sole purpose for having such an ordinance is to deter random door-to-door soliciting without a permit. By having such an ordinance and complying with this ordinance, the Township is able to obtain specific information on the individual, vehicle, and items/services to be solicited (in advance of the soliciting activity occurring). Therefore, this ordinance is intended to benefit the safety of all residents.

22-26 Forgedale Road (Possible sewage malfunction complaint) – The Township Secretary informed the Township SEO that the Board authorized investigation of possible sewage contamination to the stream/dam on this property, as instructed by the Board at last month’s meeting. The Township SEO performed a site inspection and investigated this property back in October 2018 and at that time there was no visible evidence of a septic malfunction or any of sewage being diverted or flowing into the stream/dam. Therefore, the Board shall confirm that the Township SEO is to proceed with contacting the property owner again. On a motion by Duane Bennetch, seconded by David Wartzenuft, the Board authorized the SEO to further investigate the possible sewage contamination to the stream/dam, and the Township SEO shall obtain a warrant to do so (if necessary); this matter must be investigated. Also, the Board authorized the involvement of the Zoning Officer and/or Code Enforcement Officer, if the Township SEO deemed necessary. There was no public comment. All were in favor. Motion carried.

Beaver Creek Road (New plumbing and electric without required permits and possibility of house being turned into two units) – After a review of the complaint and a brief discussion, on a motion by Duane Bennetch, seconded by David Wartzenuft, the Board authorized the Zoning Officer to investigate whether the house was converted into two units and authorized the involvement of the Building Code Official, if deemed necessary. There was no public comment. All were in favor. Motion carried.

31 Clay Valley Road Update – An update from the Zoning Officer was received by the Board. The Zoning Officer is attempting to contact the property owner.

**UPCOMING MEETINGS/EVENTS:**

Tuesday, June 25, 2019 @ 7:30PM – Planning Commission Meeting (Zoning Ordinance Update Meeting)

Tuesday, July 9, 2019 @ 7:00PM – Board of Supervisors Meeting

Wednesday, July 17, 2019 @ 7:00PM – Zoning Hearing Board Public Hearing (55 Deysher Road)

**PUBLIC COMMENT**

Mr. Eric Fox, Ruscombmanor Fire Company reminded Township officials and meeting attendees of the upcoming Housing Ceremony for the new rescue truck to be held this Saturday, and the golf tournament to be held on July 20, 2019.

There was no additional public comment.

There being no further business, the meeting was adjourned at 8:13PM on a motion by Duane Bennetch, seconded by Nathan Ohlinger. Motion carried.

Respectfully submitted,

Karen Krall  
Secretary/Treasurer