

**ROCKLAND TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES**

**JULY 13, 2021**

The monthly meeting of the Rockland Township Board of Supervisors was held on July 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 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 June 8, 2021 were presented to the Board for approval. On a motion by Nathan Ohlinger, seconded by Michele Albright, the June 8, 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 June 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	3,839.49
102.000	HRA Fund	8,472.05
106.000	General Fund – Savings	1,799,547.96
107.001	General Fund – Savings	8,094.91
107.002	General Fund – Certificate of Deposit	112,000.00
107.006	General Fund – Savings (PRIME)	1,541,339.89
110.000	Petty Cash	200.00
	State Aid Account – Savings	396,851.74
	State Aid Account – Checking	409.00
107.003	Capital Reserve Account – Savings	104,042.09
107.004	Fire Co. Equipment Fund	55,000.00
107.005	Payroll Account – Checking	27,217.11
	<b>Total as of June 30, 2021:</b>	<b>\$4,057,014.24</b>

On a motion by Michele Albright, seconded by Nathan Ohlinger, the balance sheets and check and deposit details for June 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 regarding fire and EMS run card updates required for the purpose of adding apparatus for specific call types. On a motion by David Wartzenuft, seconded by Michele Albright, the Board approved Resolution #2021-08 authorizing changes to specific fire and EMS run cards for Rockland Township as recommended by Nathan Keller, Lyons Fire Company. There was no public comment. All were in favor. Motion carried.

Ms. Karen Winegardner, Board of Trustees, Brandywine Community Library requested to speak to the Board. Ms. Winegardner was present to inform Township officials and residents that the library is open and to provide an update on the various virtual activities and in-person activities available through the library. The Board was provided a "Return on Investment" sheet from Ms. Winegardner which stated that every dollar invested returned \$3.20 in access to resources, programming, services and technology. Chairman David Wartzenuft inquired as to the negative economic impact the COVID pandemic has had on the library (such as decrease in fundraising, etc.) since American Rescue Plan Act funds recently received by the Township can be used to address the negative economic impacts of COVID-19 on nonprofits (to include only organizations that are registered as 501(c)(3)). Ms. Winegardner informed Township officials that she will speak to the Treasurer at the Brandywine Community Library to obtain figures in order to demonstrate a negative economic impact through increased expenses or decreased revenues and fundraising.

## **REPORT OF SOLICITOR**

Easement/Agreement for 93 Hertzog School Road – The Township Solicitor informed the Board that Jessica Adams (Township Engineer) and the Township Roadmaster met at the site of the proposed turnaround location, and Jessica Adams is addressing any stormwater issues with regard to the proposed location of the turnaround area. If there are any stormwater issues or concerns, the Township Solicitor recommended the Township consider having a survey performed. If there are no stormwater concerns, the Township Solicitor believes he can move forward with preparation of the agreement.

39 Orchard Road – The Township Solicitor sent a letter via certified mail to the record owner of 39 Orchard Road and received no response. The Township Secretary also confirmed with Mollie Prey, Tax Collector that all property taxes are paid to date for 39 Orchard Road. On a motion by David Wartzluft, seconded by Nathan Ohlinger, the Board authorized further enforcement action for 39 Orchard Road (including moving forward with filing a citation if a formal notice of violation was previously issued and sent). There was no public comment. All were in favor. Motion carried.

Resolution #2021-09 – Stormwater Management Ordinance Fees (Update) – The Township Engineer recommended an update to the Township stormwater management ordinance fees. Since the Township Solicitor did not have an opportunity to review the resolution, the Township Solicitor recommended action on this resolution be tabled until next month's meeting.

The Township Solicitor informed the Board that he was contacted by the attorney representing the property owners at 68 Keller Road requesting an update on the complaint submitted to the Township for 35 Bick Road. Therefore, the Township Solicitor emailed Jackie Hollenbach (Township Zoning Officer) to check on the status.

## **REPORT OF ROADMASTER**

Henry Road Bridge – 6/5/2021 Incident Update – The Township Solicitor contacted the PA State Police and confirmed that the PA State Police declined to enforce the ordinance and further declined to cite the driver. According to the PA State Police, the existing signage is not exactly consistent with the engineer's report. Therefore, the Township Solicitor will work with the Township Roadmaster to review signage and ordinance wording to ensure consistency. After a brief discussion, on a motion by Michele Albright, seconded by Nathan Ohlinger, the Board authorized the Township Secretary (with assistance by the Township Solicitor) to send a letter to the dispatcher for the trucking company requesting that their truck drivers obey the posted signage and refrain from using the Henry Road bridge. In addition, the letter to the trucking company should summarize the cost for repairs and should demand payment to the Township for said repairs. There was no public comment. All were in favor. Motion carried.

Henry Road Bridge – Request for Proposals – The Township sent a request for proposal to six engineering firms as identified at last month's meeting. In response to these requests, the Township received two proposals for consideration. One proposal was received from McCormick Taylor in Exton, PA for an estimated cost not to exceed \$11,892.00. Another proposal was received from Larson Design Group in Mechanicsburg, PA for an estimated cost of \$28,955.00. The Board reviewed both proposals and discussed how to proceed. Several meeting attendees suggested the Township consider closing the bridge (at least temporarily) to force tractor trailers to find alternative routes and to use the time during the closure to identify a long-term solution to deter tractor trailers from using the bridge. Vice Chairman Nathan Ohlinger commented that he would like to see the Township pursue an option that would physically restrict any tractor trailers from using the Henry Road bridge (such as with a barrier or other roadway feature). After a lengthy discussion, the Board ultimately took no action on the two proposals received and requested that the Township Solicitor investigate what would be required by the Township to temporarily close the Henry Road bridge.

Smoketown Road Bridge Closure – The Township Roadmaster received no new update regarding a time frame for the Smoketown Road bridge closure from PennDOT.

Berks County Cooperative Purchasing Council – 2021-2022 Road Salt Bid – The lowest bidder was Eastern Salt Company at \$67.63/ton.

2020/2021 Winter Traffic Services Agreement with PennDOT – PennDOT sent notification dated July 6, 2021 to Rockland Township to advise that the Township should expect to receive an additional \$6,844.06 serving as the Severe Winter Adjustment for the 2020/2021 Winter Traffic Services Agreement. Rockland Township should be receiving these funds with sixty days.

## **OLD BUSINESS**

Stonefield Heights Subdivision Improvements (Steep Lane) – The Township Solicitor informed the Board that things are moving forward. The Township Solicitor and Township Engineer are working on the maintenance agreement.

68 Keller Road – Drainage/Zoning Issues – The Township Solicitor informed the Board that he received correspondence from the attorney representing the property owners at 68 Keller Road which included a drainage plan. The drainage plan will be reviewed by Jessica Adams, Township Engineer.

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, July 27, 2021. At the 6/29/2021 Planning Commission meeting, the Planning Commission recommended the Board of Supervisors consider a proposal for Urban Research & Development Corporation to review the final draft Zoning Ordinance at a rate of \$98/hour with an agreed-upon contractual cap amount for budgeting purposes. The Township Solicitor confirmed that a proposal from Urban Research & Development Corporation was not yet received and therefore recommended this matter be tabled until next month.

Sewage Advisory Committee Meeting – The next Sewage Advisory Committee meeting is scheduled for Thursday, August 19, 2021 at 7:00PM at the Rockland Township Building.

BEST Partnership - Deka Traffic – Mr. Duane Bennetch informed the Board that no BEST Partnership meeting was held since last month's meeting. The group is waiting to hear back from Chief Stinsky regarding DEKA's involvement going forward. Township Supervisor Michele Albright mentioned that Senator Mensch's Office was contacted, but there has been no response from his office to date. In addition, Township Supervisor Michele Albright mentioned that Maiden Creek Township elected not to continue to participate with the BEST Partnership initiative going forward. Mr. Bennetch suggested the possibility of starting a Facebook petition (or something similar) to gain additional support for the BEST Partnership and its efforts.

Zoning Hearing Board Decision – 12 Steep Lane – A written decision from the Zoning Hearing Board was received for 12 Steep Lane (Seth & Crystal Nace). The applicants' request for a variance from the side yard restrictions set forth in Section 5.05.1 of the Zoning Ordinance was granted to permit the applicants to construct a proposed garage within 20' of the adjacent property to the north. In addition, the applicants' request for a variance from Section 8.04.2 of the Zoning Ordinance prohibiting detached garages/accessory structures to be limited to 800 sq ft was also granted allowing the applicants to construct a detached garage of 1,200 sq ft. The granting of said variances were conditioned upon the structure not being a pole building; structure must match applicants' residence in terms of the siding and roof materials; the pitch of the garage should match the pitch of the house as close as possible; and there should be no roof connections between the house and the garage.

Zoning Hearing Board Decision – 62 Cider Mill Road – A written decision from the Zoning Hearing Board was received for 62 Cider Mill Road (Robert & Alexis Eisenhart). The applicants' request for a variance from the side yard restrictions as set forth in Section 8.03 and Section 4.05.2 of the Zoning Ordinance was granted to permit the applicant to construct the proposed garage at a minimum of 33' from the adjacent property line.

Zoning Hearing Board Decision – 16 Stimmel Road – A written decision from the Zoning Hearing Board was received for 16 Stimmel Road (Harold & Elsie Weaver). The applicants' request for a variance from Section 9.02.4 of the Rockland Township Zoning Ordinance was granted to construct an agricultural hoop building at a minimum of 35' from the adjoining neighbors' property line and 60' from the roadway.

## **BILLS**

2021 Road Project Invoice – The 2021 Road Project is complete. An invoice totaling \$100,659.46 was received from Asphalt Maintenance Solutions, LLC which included double bituminous seal coat 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 bituminous seal coat of Forrest Road (from Township line to end of road). On a motion by David Wartzenuft, seconded by Nathan Ohlinger, payment to Asphalt Maintenance Solutions, LLC in the amount of \$100,659.46 was approved for the 2021 Road Project from the State Aid Account. There was no public comment. All were in favor. Motion carried.

A listing of the Unpaid Bills as of July 13, 2021 was provided for the Board of Supervisors approval. The total of the unpaid bills for approval is **\$44,682.49** from the General Fund. On a motion by Nathan Ohlinger, seconded by Michele Albright, the unpaid bill list totaling \$44,682.49 was approved for payment from the General Fund. There was no public comment. All were in favor. Motion carried.

## **NEW BUSINESS**

12<sup>th</sup> Annual Friend Inc. Brake the Cycle Ride (Saturday, August 14, 2021) – The Township received correspondence dated June 23, 2021 from Mr. Jim Reece, Executive Director at Friend, Inc. Community Services notifying Rockland Township of an upcoming planned bike ride (fundraising event—Brake the Cycle of Poverty) to be held on Saturday, August 14, 2021 from 7:00AM-2:00PM. Four bike routes will be launching from the Rickenbach Center at Kutztown University (62 mile route, 40 mile route, 25 mile route and a 10 mile route). Information on the event and planned routes has been provided to the Board. Mr. Reece is requesting a simple acknowledgement of the planned bike ride on Saturday, August 14<sup>th</sup> from all Townships where the ride passes through and to confirm that there are no conflicts. Township officials requested the Township Secretary contact Mr. Reece to obtain a certificate of liability insurance for this planned event. The Board of Supervisors also recommended the Township Secretary post information on the bike ride to be held on Saturday, August 14, 2021 on the Township website, so Township residents are aware of the planned routes in advance.

Semi-Quincentennial for the Commonwealth of Pennsylvania and the USA – July 4, 2026 – The Township received correspondence from Paul Janssen from the Center for Excellence in Local Government advising Berks County municipalities that we are five years away from the semi-quincentennial for both the Commonwealth of PA and the USA in 2026. A copy of the resolution executed by the Berks County Commissioners committing to the planning effort to highlight the significance of the event was included. Commissioner Leinbach has requested that CELG lead an effort to have all 72 Berks County municipalities join this effort by enacting a customized version of a similar resolution to begin the process of planning and highlighting the significance of July 4, 2026. Township Supervisor Nathan Ohlinger informed the Board that he reached out to other Townships in order to obtain additional information on any planned events by surrounding Townships. After a brief discussion, the Board decided to table this matter (to wait to see what other Townships plan to do).

Registration for PSATS Centennial Celebration Dinner & 2021 Annual Business Meeting – The Township received registration materials for the PSATS Centennial Celebration Dinner to be held on Thursday, October 14<sup>th</sup> and for PSATS' 2021 Annual Business Meeting to be held on Friday, October 15<sup>th</sup>. Both events will take place at the Hershey Lodge. Registration opens August 2<sup>nd</sup>. Board members shall confirm who plans to attend for registration purposes. On a motion by Nathan Ohlinger, seconded by Michele Albright, the Board approved Township Supervisor David Wartzenuft's attendance at the PSATS 2021 Business Meeting to be held on Friday, October 15, 2021. There was no public comment. Michele Albright and Nathan Ohlinger voted in favor. David Wartzenuft abstained. Motion carried. On a motion by David Wartzenuft, seconded by Michele Albright, the Board approved Township Supervisor Nathan Ohlinger's attendance at the PSATS 2021 Centennial Celebration Dinner on Thursday, October 14, 2021. There was no public comment. David Wartzenuft and Michele Albright voted in favor. Nathan Ohlinger abstained. Motion carried. On a motion by Nathan Ohlinger, seconded by David Wartzenuft, the Board approved Township Supervisor Michele Albright's attendance at the PSATS 2021 Centennial Celebration Dinner on Thursday, October 14, 2021 and the PSATS 2021 Business Meeting on Friday, October 15, 2021, if she is able to attend. There was no public comment. David Wartzenuft and Nathan Ohlinger voted in favor. Michele Albright abstained. Motion carried.

Municipal Recycling Program Performance Grant Application for CY2020 – Rockland Township’s performance grant application for calendar year 2020 has been prepared and provided to the Board. Rockland Township’s estimated performance grant totals approximately \$65.00 for 2020 (based on 12.9 total tonnage). On a motion by Nathan Ohlinger, seconded by Michele Albright, the Board approved the Municipal Recycling 904 Performance Grant Application for calendar year 2020 totaling 12.9 tons for electronic submittal through the DCED’s Electronic Single Application (ESA) website. There was no public comment. All were in favor. Motion carried.

Zoning Hearing Board Application – 17 Fleetwood Road – A special exception application was received from Ehtesamul & Bibi Kohyratty on June 28, 2021. The application seeks a special exception pursuant to Section 5.04.2 of the Zoning Ordinance for the purpose of utilizing the property located at 17 Fleetwood Road as a private cemetery (including chapel, office, equipment storage and caretaker facilities). The Board of Supervisors may submit comments to the Zoning Hearing Board regarding this variance application. The public hearing is scheduled for Wednesday, August 11, 2021 at 7:00PM at the Rockland Township Building. Mr. Tom Barlow with Newton Engineering (representing Ehtesamul & Bibi Kohyratty) was present to give a brief overview of the special exception application and future plans for the 17 Fleetwood Road property. A brief discussion followed at which time Mr. Barlow and Attorney Stephanie Kobal from Fitzpatrick Lentz & Bubba PC answered a number of questions from the Township Supervisors and meeting attendees. Mr. Edward Goodhart inquired as to whether the former Buffington property could be further subdivided. The Township Solicitor informed Mr. Goodhart that such an issue would likely be identified and addressed during the land development process. Township officials also heard from a woman who owns property which abuts the 17 Fleetwood Road property (the 17 Fleetwood Road property surrounds her property on three sides) who expressed concern about the negative impact such a cemetery would have on her property value. At the conclusion of the conversation, the Board of Supervisors offered no comments on this application to the Zoning Hearing Board and encouraged all Township residents to attend the upcoming public hearing on the special exception application to be held on Wednesday, August 11, 2021 at 7:00PM at the Rockland Township Building.

Zoning Hearing Board Application – 22 Deysher Road – A special exception application was received from Eric & Robyn Zepp, 22 Deysher Road on July 2, 2021. The application seeks a special exception for the purpose of utilizing the existing garage as a home-based fabrication shop (welding, cutting, grinding and painting). The Board of Supervisors may submit comments to the Zoning Hearing Board regarding this variance application. The public hearing is scheduled for Wednesday, August 18, 2021 at 7:00PM at the Rockland Township Building. The Board offered no comments on this application to the Zoning Hearing Board.

## **CORRESPONDENCE**

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

Reports and updates regarding zoning, building, sewage and stormwater issues and activity for June 2021 were provided to the Board of Supervisors for review. Direction from the Board was requested on a few code related matters.

42 Keller Road – A recent update from the Zoning Officer informed the Township that the property owner has now advised Mack Engineering that she wishes to withdraw any inquiry made to the Township regarding 42 Keller Road and the request for an additional mailing address for the property. After a brief discussion, the Board instructed the Zoning Officer to follow up with the property owner to confirm whether or not the farmhouse was (or will be) separated into two separate dwelling units, since such residential conversion would require Township approval in advance.

22 Lobachsville Road – The Board of Supervisors received an update from Adam Bender, Zoning Officer informing the Township that another burning complaint was received over the July 4<sup>th</sup> holiday weekend for 22 Lobachsville Road. On a motion by David Wartzluft, seconded by Michele Albright, the board authorized the Zoning Officer to investigate this complaint (since previous complaints had been received for this property). There was no public comment. All were in favor. Motion carried.

44 Fredericksville Road – A new complaint was received on June 28, 2021 regarding a camper with people living inside (sewage concern). On a motion by Nathan Ohlinger, seconded by Michele Albright, the Zoning Officer was instructed to investigate this complaint (and such authorization included the involvement of the Township Sewage Enforcement Officer, if necessary). There was no public comment. All were in favor. Motion carried.

66 Conrad Road – Three new complaints were received on July 13, 2021 which allege potential violations at 66 Conrad Road. On a motion by Nathan Ohlinger, seconded by Michele Albright, the Zoning Officer was instructed to investigate the complaints. There was no public comment. All were in favor. Motion carried.

**UPCOMING MEETINGS/EVENTS:**

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

Tuesday, August 10, 2021 @ 7:00PM – Board of Supervisors Meeting

Wednesday, August 11, 2021 @ 7:00PM – Public Hearing – Zoning Hearing Board (17 Fleetwood Road)

**PUBLIC COMMENT**

Mr. Edward Goodhart, 39 Stimmel Road expressed concern with recent paving performed by the State on Forgedale Road which resulted in a rather significant drop-off at Stimmel Road. The Township Roadmaster informed Mr. Goodhart that he will contact PennDOT.

There was no additional public comment.

There being no further business, the meeting was adjourned at 9:00PM on a motion by Nathan Ohlinger, seconded by David Wartenluft. Motion carried.

Respectfully submitted,

Karen Krall  
Secretary/Treasurer