

**ROCKLAND TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES**

**JULY 14, 2020**

The monthly meeting of the Rockland Township Board of Supervisors was held on July 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' meeting held on June 9, 2020 were presented to the Board for approval. On a motion by Nathan Ohlinger, seconded by Michele Albright, the June 9, 2020 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 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	2,505.91
106.000	General Fund – Savings	1,631,303.98
107.001	General Fund – Savings	7,489.16
107.002	General Fund – Certificate of Deposit	109,120.81
107.006	General Fund – Savings (PRIME)	1,539,460.52
110.000	Petty Cash	200.00
	State Aid Account – Savings	209,576.70
	State Aid Account – Checking	408.75
107.003	Capital Reserve Account – Savings	63,880.13
107.004	Fire Co. Equipment Fund	33,978.00
107.005	Payroll Account – Checking	18,572.26
	<b>Total as of June 30, 2020:</b>	<b>\$3,616,496.22</b>

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

**REPORT OF SOLICITOR**

Per discussion at last month's meeting, the Township Solicitor looked in to whether or not the Township would have the authority to adopt an ordinance establishing increased fines for any vehicles using the Henry Road bridge which do not comply with the post size/length restrictions for the bridge. The Township Solicitor informed the Board that he looked into this matter again and regrets to inform the Board that any applicable fines would be as stated in the Pennsylvania Vehicle Code. Therefore, the Township Solicitor recommended the Board reach out to State Representatives to push for a change to the fines/penalties as outlined in the Pennsylvania Vehicle Code.

The Township received correspondence from Attorney David Sobotka (Zoning Hearing Board Solicitor) dated June 30, 2020 informing the Board of a Court Order scheduling a hearing in the appeal by Gary Mengel of the Zoning Hearing Board's decision for 102 Beaver Creek Road. The hearing is scheduled for July 28, 2020 at 10:00AM. The Township Solicitor provided an update on this matter and advised that the hearing scheduled for July 28<sup>th</sup> was cancelled.

The Township Solicitor informed the Board that Smith Law Group LLC recently merged with another attorney, Jeffrey Bukowski to form Smith Bukowski. Therefore, Attorney Smith will be providing the Board with a new representation agreement for review and signature prior to next month's meeting (for the sole purpose of updating the firm's new name).

## REPORT OF ROADMASTER

Recent Damage to Henry Road Bridge – The Henry Road bridge recently sustained damage from farm equipment. The Roadmaster noticed the damage and was able to track down the tractor/equipment responsible for the damage and spoke to the farmer. The farmer called the Township Office and inquired about what needs to be done to remedy the situation. After a brief discussion, on a motion by Nathan Ohlinger, seconded by David Wartzluft, the Board authorized the Township to contact Mr. Vernon Burkholder to work out the details regarding repair of the bridge as deemed satisfactory to the Township Roadmaster. There was no public comment. All were in favor. Motion carried.

Henry Road Bridge Solar Trail Camera – The Roadmaster installed the solar trail camera and determined that the picture quality and clarity was very poor (very difficult to identify any specific details on vehicle, such as wording, license plate numbers, etc.). In addition, due to the volume of traffic, the solar batteries needed to be recharged after two days. Ultimately, the Roadmaster and Board decided to return the solar trail camera for a refund, since the camera will not be effective and will not work as the Board intended. The Board agreed to continue to explore other possible options.

Detention Basin Repairs/Maintenance Update – The Roadmaster provided the Board with an update on the progress with required repairs/maintenance to the following detention basins:

**21 Sheep Hill Road** – Roadmaster spoke to property owner. He will also be speaking to the owner of the neighboring property at 26 Highland Drive regarding some concerns with the swale on this property which feeds into the detention basin on 21 Sheep Hill Road.

**11 Crestview Drive** – Township is awaiting requested plan of action from property owner (letter to property owner requested plan of action by August 11, 2020).

**10 Ridge Drive** – Repair/maintenance work has begun.

**13 Apple Lane** – Outfall was cleared as requested. Work is complete.

Carls Hill Road & Smoketown Road – The engineering and traffic study was conducted by Marvin Ta, LTAP, PennDOT for the intersection of Carls Hill Road and Smoketown Road. The Roadmaster would like to move forward with the short-term recommendations outlined in the LTAP's engineering and traffic study. These recommendations include establishing the left fork of Carls Hill Road as the through movement via pavement markings and the installation of a YIELD sign on the island for the left turn approach from Smoketown Road onto Carls Hill Road. Per Title 75, an ordinance should be adopted establishing the through movement on Carls Hill Road and for the posting of the YIELD sign. The Roadmaster informed the Board that he will send the necessary information to the Township Solicitor to draft an ordinance for consideration at next month's Board meeting.

Bridge Inspection – Beaver Creek Road Bridge over Bieber Creek – The new updated load posting signs were posted on June 15, 2020, as required by NTM Engineering (State bridge inspector).

2020-2021 Berks County Road Salt Bid/Contract – The Roadmaster informed the Board that he requested participation in the joint bid of the Berks County Cooperative Purchasing Council for road salt for the 2020-2021 season for 500 ton (same as 2019-2020 season).

Speed Detection/Monitoring Device & Traffic/Speeding Concerns – The Township received a quote from JAMAR Technologies for a Law Enforcement Radar Kit with Laptop (speed detection device) in the amount of \$4,735.00. After reviewing and discussing the quote (and noting that the Board included money in the 2020 budget for this purchase), on a motion by David Wartzluft, seconded by Nathan Ohlinger, the Board approved the purchase of the Law Enforcement Radar Kit with Laptop from JAMAR Technologies totaling \$4,735.00. One of the property owners of 43 Fleetwood Road recommended the Township consider placing this device at the intersection of Stimmel Road and Fleetwood Road. There was no additional public comment. All were in favor. Motion carried.

Ms. Debra Cronrath Billowitch informed the Township Roadmaster of a drainage concern at 43 Fleetwood Road. According to Ms. Cronrath-Billowitch, it appears the nearby grate is too high and the water seems to be bypassing the grate. The Township Roadmaster informed Ms. Cronrath-Billowitch that he would like to discuss this matter with her after he has a chance to investigate her concern.

Township Supervisor Michele Albright questioned Jerry Keller whether the emergency vehicles with the Lyons Fire Company ever encounters delays with their response times due to traffic congestion in the area likely associated with Deka shift changes. Jerry Keller advised Township officials that occasionally they do, but the fire company tries to maneuver through congested traffic as quickly and safely as possible.

## **OLD BUSINESS**

Smoke-Mine Minor Subdivision (Annexation) Final Plan – Smoketown Road/Mine Road/Cider Mill Road – At the 6/30/2020 monthly meeting of the Rockland Township Planning Commission, the Planning Commission approved the waivers requested via the waiver request letter dated June 16, 2020 (and recommends the Board do the same). On a motion by Michele Albright, seconded by Nathan Ohlinger, the Board approved the following waivers for the Smoke-Mine Minor Subdivision Final Plan: Section 4:204.N (Soils Data), Section 4:204.O.3 (Wetland Delineation), Section 5:501.D (Lot Depth to Width Ratio), Section 6:201.D (Cartway Width/Paving), Section 6:208 (Street Monuments) and Section 6:209 (Lot Corner Monuments). There was no public comment. All were in favor. Motion carried. At the 6/30/2020 Planning Commission meeting, the Planning Commission also approved the Smoke-Mine Minor Subdivision (Annexation) Final Plan (and recommends the Board do the same). On a motion by David Wartzluft, seconded by Nathan Ohlinger, the Board officially approved the Smoke-Mine Minor Subdivision (Annexation) Final Plan for signature. There was no public comment. All were in favor. Motion carried.

Hogan Learning Academy Land Development Plan – Final Plan – Phase 1 – Phase 1 proposes the construction of 26 parking spaces, infiltration bed A and associated structures, a portion of buffer yard landscaping and directional signs. At the 6/30/2020 monthly meeting of the Rockland Township Planning Commission, the Planning Commission conditionally approved the Hogan Learning Academy Land Development Plan Final Plan – Phase 1 pending compliance with the Township Engineer’s 6/19/2020 review letter and pending E&S and NPDES approval (and recommends the Board do the same). On a motion by Michele Albright, seconded by Nathan Ohlinger, the Board conditionally approved the Hogan Learning Academy Land Development Plan Final Plan – Phase 1 pending compliance with the Township Engineer’s 6/19/2020 review letter and pending E&S and NPDES approval. 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 July 28, 2020 Planning Commission meeting.

Sewage Advisory Committee Meeting – The next meeting of the Sewage Advisory Committee is not yet scheduled due to the coronavirus pandemic. After a brief discussion, the Board instructed the Township Secretary to contact Ed McCorkle with Bursich Associates and members of the Township’s Sewage Advisory Committee to schedule the next meeting.

Topton American Legion Community Ambulance Service – Requested Final Information – Topton Ambulance provided the Township with financial information for calendar year 2019 and for the first five months of 2020. On a motion by David Wartzluft, seconded by Nathan Ohlinger, the Board approved the release of the \$8,778.00 donation check to Topton American Legion Community Ambulance Service for 2020. There was no public comment. All were in favor. Motion carried.

Lyons Fire Company – Requested Financial Information – Lyons Fire Company provided the Township with financial information for calendar year 2019, as well as financial information for January 2020 through June 2020. On a motion by David Wartzluft, seconded by Nathan Ohlinger, the Board approved the release of the \$16,000.00 donation check to Lyons Fire Company for 2020. There was no public comment. All were in favor. Motion carried.

## **BILLS**

A listing of the unpaid bills as of July 14, 2020 were provided to the Board of Supervisors for approval. The total of the unpaid bills for approval was \$25,411.17 from the General Fund. On a motion by Nathan Ohlinger, seconded by Michele Albright, the Board approved payment of the unpaid bills totaling \$25,411.17 from the General Fund. There was no public comment. All were in favor. Motion carried.

## NEW BUSINESS

Municipal Recycling Program Performance Grant Application for CY2019 – Rockland Township’s performance grant application for calendar year 2019 has been prepared and provided to the Board. Rockland Township’s estimated performance grant totals approximately \$60.00 for 2019 (based on 11.7 total tonnage). On a motion by David Wartzluft, seconded by Nathan Ohlinger, the Board approved the Municipal Recycling 904 Performance Grant Application for calendar year 2019 totaling 11.7 tons for electronic submittal through the DCED’s Electric Single Application (ESA) website. There was no public comment. All were in favor. Motion carried.

The Township received correspondence from Deborah Olivieri, Director of Elections, Berks County Board of Elections dated June 23, 2020 thanking Rockland Township for serving as a polling location. In the past several years, the Federal government has placed an increased focus on enforcing the Americans with Disabilities Act to ensure that polling locations are accessible for individuals with disabilities. Berks County is undertaking a review of all polling places to assess whether all polling locations conform to the Americans with Disabilities Act. The County has partnered with ElectionIQ, LLC to conduct these assessments. Each assessment should take approximately 15-25 minutes. Once a full report is available, Berks County would be happy to share the accessibility assessment with each polling location. The County’s aim is to keep all polling locations where they are to ensure ease of access, and convenience, for all voters, and the County may deploy temporary remedies on Election Day to ensure polling places are accessible for voters.

The Township received email correspondence from Pauline Bean, 201 Forgedale Road on June 15, 2020 requesting that local officials do away with policies that lead to the unequal treatment of and violence against blacks and people of color and adopt reforms drawn from evidence-based recommendation in the Task Force on 21<sup>st</sup> Century Policing Report, Campaign Zero, etc. Since Rockland Township does not have its own police department and is served solely by the Pennsylvania State Police (and the Board cannot dictate policies for the PA State Police), the Board decided to take no action.

## CORRESPONDENCE

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

Reports and updates regarding zoning, building, sewage and stormwater issues and activities for June 2020 were provided to the Board of Supervisors for review. Direction was requested from the Board a few zoning matters and complaints.

New Complaint Received 6/12/2020 – 12 Highland Drive – Complaint stated that lawn is over 12” high (which would constitute a violation of the Township’s Brush/Grass/Weeds Ordinance). On a motion by Nathan Ohlinger, seconded by Michele Albright, the Board authorized this that this complaint be forwarded on to the Township Code Official to verify that a violation of the Township’s ordinance exists. If a violation still exists, the code official shall follow up as deemed appropriate. There was no public comment. All were in favor. Motion carried.

Two New Complaints Received 7/13/2020 – 18 Pricetown Road – Two burning complaints received for burning occurring at 18 Pricetown Road. On a motion by David Wartzluft, seconded by Nathan Ohlinger, the Board authorized that this complaint be forwarded on to the Township Code Official to investigate these burning complaints for possible violations of the Township Burning Ordinance. There was no public comment. All were in favor. Motion carried.

New Complaint Received 7/13/2020 – 119 Kutz Road – The complaint states that it appears the property is being used as an auto salvage yard, as there are approximately two dozen cars and trucks are parked on the property. After a brief discussion, Township officials confirmed that it appears a junkyard permit was never issued for this property. Therefore, on a motion by David Wartzluft, seconded by Nathan Ohlinger, this complaint was to be forwarded on to the Township Code Official for further investigation and follow-up. There was no public comment. All were in favor. Motion carried.

Several New Complaints Received 7/13/2020 & 7/14/2020 – 11 Essig Drive – Complaints expressed concern about a feral cat problem in their neighborhood and the accumulation of trash/garbage at 11 Essig Drive. The Board briefly reviewed and discussed the complaints and noted that the initial complaint regarding the accumulation of trash/garbage was received by the Township over one year ago. After a brief discussion, on a motion by David Wartzenuft, seconded by Nathan Ohlinger, the Board authorized the Township Code Official to revisit the property to check on the progress of clean-up of the property, and if no further progress to date, the Board was in agreement to taking a more aggressive approach at his time. There was no public comment. All were in favor. Motion carried. Regarding the feral cat issue, the Board discussed that there is very little the Township can do since there are no Township ordinances that specifically address cats or feral cats. The Township's 2020 animal control services agreement with Safety Net Sanctuary excludes the handling of feral cats, spay and neuter practices, and/or the handling and implementation of colonies of feral cats. At the conclusion of this discussion, the Board made it very clear that they would not authorize the use of any taxpayer money to address this feral cat problem. The Board requested the Township Secretary respond back to each complainant to advise of the Board's position in this matter, and the Board recommended the Essig Drive community work together and combine resources to try to resolve this local problem. Furthermore, if any Township resident has any suggestions as to how the Township may be able to assist with a remedy for this problem, Township residents are encouraged to communicate any suggestions to the Board of Supervisors. The Board is open to listening to suggestions.

223 Fredericksville Road – The Board received an update from Jackie Hollenbach dated June 11, 2020. Mr. Nicholas Henszey (who resides at 223 Fredericksville Road) was present and provided the Board with information and pictures. On a motion by David Wartzenuft, seconded by Michele Albright, the Board authorized the Code Official to move forward with legal action and prosecution for violations. There was no public comment. All were in favor. Motion carried.

31 Clay Valley Road – The Board reviewed an update from Jackie Hollenbach. On a motion by David Wartzenuft, seconded by Nathan Ohlinger, the Board authorized the Code Official and Township Solicitor to pursue a continuance with the District Justice. There was no public comment. All were in favor. Motion carried.

#### **UPCOMING MEETINGS/EVENTS:**

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

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

#### **PUBLIC COMMENT**

Ms. Debra Cronrath-Billowitch (one of the owners of 43 Fleetwood Road) informed the Board of Supervisors that she understands that an adjoining property (previously owned by Levengoods) was recently sold to the Muslim community, and she understands there are plans to put a Muslim cemetery on the property. Chairman David Wartzenuft informed Ms. Cronrath-Billowitch that the Township has received no permit applications or plans for approval to date. A number of adjoining property owners to the former Levengood property were in attendance and expressed serious concerns with a Muslim cemetery on this property (floodplain concerns, environmental concerns, etc.).

Mr. Harlan Snyder requested further clarification on special exceptions from the Township Solicitor.

There was no additional public comment. There being no further business, the meeting was adjourned at 8:13PM on a motion by Nathan Ohlinger, seconded by David Wartzenuft. Motion carried.

Respectfully submitted,

Karen Krall  
Secretary/Treasurer