

**ROCKLAND TOWNSHIP
BOARD OF SUPERVISORS
MEETING MINUTES**

JULY 12, 2016

The monthly meeting of the Rockland Township Board of Supervisors was held on July 12, 2016 at 7:30PM at the Rockland Township Municipal Building. The following board members were present: Chairman Herb Meadway, Vice Chairman Duane Bennetch, and Nathan Ohlinger. Also present were Attorney Alfred Crump (Township Solicitor) and interested citizens.

The meeting was called to order at 7:30PM by Chairman Herb Meadway. The meeting was opened with the pledge to the flag.

The meeting minutes of the June 14, 2016 Board of Supervisors meeting were presented to the Board for approval. On a motion by Duane Bennetch, seconded by Nathan Ohlinger, the meeting minutes from the June 14, 2016 meeting 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 2016 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 | 2,320.47 |
| 106.000 | General Fund – Savings | 1,409,972.96 |
| 108.000 | General Fund – Govt Money Market | 180,190.07 |
| 107.001 | General Fund – Savings | 3,798.72 |
| 107.002 | General Fund – Savings | 275,003.98 |
| 109.001 | Government Money Market | 118,294.18 |
| 109.007 | Certificate of Deposit | 100,000.00 |
| 109.002 | Certificate of Deposit | 109,106.16 |
| 110.000 | Petty Cash | 200.00 |
| | State Aid Account – Savings | 214,576.52 |
| | State Aid Account – Checking | 388.92 |
| 107.003 | Capital Reserve Account – Savings | 298,203.32 |
| 107.005 | Payroll Account – Checking | 17,603.66 |
| | Total as of June 30, 2016: | \$2,729,658.96 |

On a motion by Herb Meadway, seconded by Duane Bennetch, the balance sheets, check and deposit details for June 2016 were approved as presented. There was no public comment. All were in favor. Motion carried.

Mr. Andrew Martin, M&A Excavating, 120 Lyons Road, requested to speak to the Board. Mr. Martin informed the Board that he was contacted by and recently met with the Township Zoning Officer, Michael Schwenk, regarding a parking lot expansion occurring at 120 Lyons Road. Mr. Martin informed the Board that he understands that the expansion of the parking area may be subject to stormwater management regulations and also could be subject to land development regulations. He requested a copy of the Rockland Township Zoning Ordinance and Stormwater Ordinance, in order to review the regulations and begin the process toward compliance.

REPORT OF SOLICITOR

Berks EIT Collection Fee Resolution Ordinance – On a motion by Duane Bennetch, seconded by Nathan Ohlinger, Ordinance #2016-09 was approved authorizing Berks EIT Bureau to utilize third-party collection agencies to pursue and collect delinquent tax and to approve the collection of a fee from any delinquent tax payer by any third-party collection agency provided the fee does not exceed 25% of the amount of tax collected. There was no public comment. All were in favor. Motion carried.

REPORT OF ROADMASTER

Hertzog School Road – The drainage issues along Hertzog School Road (and the report(s) previously provided by the Township Engineer on this matter) were briefly discussed. The Roadmaster advised the Board that he attempted to fill in the eroded shoulders, but it just washes out. The Roadmaster is concerned that if these drainage issues are not properly addressed and resolved, the existing conditions will result in continual erosion and ultimately damage to the roadway. After discussion and as the result of tree removal activity and grading activity which occurred at 69 Hertzog School Road which is believed to have contributed to the existing stormwater problems along Hertzog School Road, on a motion by Duane Bennetch, seconded by Nathan Ohlinger, the Board instructed the Township Secretary to send a letter to the property owner at 69 Hertzog School Road requesting the property owner's cooperation in fixing the existing stormwater runoff issues along 69 Hertzog School Road, including assistance with paying for any stormwater runoff solutions deemed necessary on the property to replicate pre-development conditions as closely as possible. There was no public comment. All were in favor. Motion carried.

Foxs Road – Stormwater Runoff Problem – The Roadmaster informed the Board that he met with Mr. Charles Strauss at 85 Foxs Road. On a motion by Duane Bennetch, seconded by Nathan Ohlinger, the Board agreed to allow Mr. Strauss, property owner of 85 Foxs Road, to connect a 4" pipe containing roof runoff to the existing Township drainage pipe along Foxs Road, per conditions outlined on the signed statement by Mr. Strauss. There was no public comment. All were in favor. Motion carried. On a motion by Duane Bennetch, seconded by Nathan Ohlinger, the Board authorized the Township road crew to perform the 4" pipe connection (enlargement) to the Township's existing drainage pipe to ensure no damage to the existing pipe. There was no public comment. All were in favor. Motion carried.

2016 ARLE Grant Application – Rockland Township's 2016 ARLE Grant Application was submitted on June 27, 2016.

Summer 2016 MS4 Workshop – The Roadmaster and Township Secretary attended the MS4 Workshop held in Wyomissing on June 29, 2016. Based on the information obtained at the workshop, it would seem very likely that Rockland Township may qualify for a waiver. The deadline to submit the application for a waiver is September 16, 2017. The Township also received a letter from PA DEP dated July 6, 2016 confirming Rockland Township's September 16, 2017 deadline for application to comply with new MS4 requirements.

Bridge Inspection Meeting – The Roadmaster met with Mr. Scott Stock, Mackin Engineering Company on July 6, 2016 to review the inspection reports from the most recent bridge inspections conducted on April 18, 2016. The Roadmaster informed the Board that the Township will need to perform some minor repairs/updates per the bridge inspection reports (minor scouring issues, minor guiderail updates, etc).

Met-Ed Tree Trimming will be conducted in the Township by Lewis Tree Service commencing in the next two weeks or so. Any questions or concerns with the tree trimming should be directed to Dave DeWalt, Lewis Tree Service.

Ms. Piper Sherbourne, District Township, inquired as to whether the tree service company was made aware of the Spotted Lanternfly quarantine currently in effect for Rockland Township. The Roadmaster advised that Dave DeWalt was aware of the quarantine and was looking to dispose of the wood chips and debris in the quarantine area. Ms. Sherbourne also informed the Board that there is a significant increase in the number of spotted lanternfly on the bands this year compared to last year.

2016 Road Project – The paving of Clay Valley Road and Foxs Road is complete. Day Road is scheduled for paving this Thursday, July 14, 2016 (weather permitting).

OLD BUSINESS

Dry Hydrants Update –The Township Secretary contacted Lendacki Enterprises LLC and M&A Excavating to request a cost estimate for the installation of a dry fire hydrant at the Fredericksville and Smoketown Road location. Both excavation contractors informed the Township that they have previous experience with installing dry fire hydrants and did not need the specifications from the Township. The Township is currently awaiting additional information and cost estimates from Lendacki Enterprises LLC and M&A Excavating. Mr. Andrew Martin, M&A Excavating informed the Board that he plans to contact the Roadmaster soon to set up a site visit to look at the location, in order to prepare a cost estimate for the work. Supervisor Ohlinger expressed concern that Lyons Fire Company did not seem interested in assisting with the dry fire hydrant installation.

Zoning Ordinance Review/Amendment – Quotes from three other local engineering firms were received, in order to compare costs to LTL Consultants' proposal. This information was provided to the Board, and this item was tabled at last month's meeting. Chairman Meadway noted that one proposal was just recently received, and he had not had a chance to review it. Therefore, Chairman Meadway recommended that the Board table any action on this matter until next month's meeting. As a result, no action was taken by the Board at tonight's meeting.

Richard J. & Carol A. Blair Subdivision – Five Points Road – A time extension was previously granted by the Township until September 20, 2016. At the June 28, 2016 Planning Commission meeting, the Planning Commission recommended approval of the following SALDO waivers: Sections 4:303 and 4:204.M (regarding existing manmade and natural features to be shown on the plan), Sections 4:303.U and 4:204.O (regarding floodplains and wetlands to be shown and certification for the wetland consultant), Sections 4:303 and 4:204.S.6 (regarding net lot areas to be shown for each lot) and Section 6:209 with the understanding that two concrete monuments will be placed along Five Points Road (this section requires all lot corners to be permanently located by concrete monuments). On a motion by Duane Bennetch, seconded by Herb Meadway, the Board granted the following SALDO waivers on behalf of the Richard J. & Carol A. Blair Subdivision: Sections 4:303 & 4:204.M, Sections 4:303.U & 4:204.O, Sections 4:303 & 4:204.S.6 and Section 6:209. There was no public comment. All were in favor. Motion carried.

Christ Mertz Lutheran Church Land Development & Lot Consolidation Plan (2016 Addition) – 16 Fleetwood Road – Deadline for plan review/action is August 29, 2016. At the June 28, 2016 Planning Commission meeting, the Planning Commission recommended approval of the following SALDO waiver: Section 4:303.F which requires the ultimate ROW line be shown on the plan along with its data. On a motion by Herb Meadway, seconded by Nathan Ohlinger, the Board granted a waiver from Section 4:303.F (requiring that the ultimate ROW line be shown on the plan along with its data) on behalf of the Christ Mertz Lutheran Church Land Development & Lot Consolidation Plan. There was no public comment. All were in favor. Motion carried. On June 28, 2016, the Planning Commission also recommended conditional approval of the Christ Mertz Lutheran Church Land Development & Lot Consolidation Plan, pending receipt of the Berks County Planning Commission review letter and pending addressing all the comments in the Township Engineer's review letter dated June 24, 2016. The Berks County Planning Commission review letter was received on July 8, 2016. In addition, the Township received the deed description and stormwater fund payment. The Township Engineer did not have sufficient time to review the revised plan prior to tonight's meeting. After a brief discussion, on a motion by Duane Bennetch, seconded by Nathan Ohlinger, the Board conditionally approved the Christ Mertz Lutheran Church Land Development & Lot Consolidation Plan, pending confirmation from the Township Engineer that any and all items in

the Berks County Planning Commission review letter dated July 1, 2016 and the Township Engineer's review letter dated June 24, 2016 are properly addressed and pending the Township's receipt of the executed developer's and stormwater management agreements. There was no public comment. All were in favor. Motion carried.

BILLS

LTL Consultants, Ltd. provided clarification for the \$18.29 (bookkeeping and postage charges) and \$699.00 (SEO inspection charges) withheld from LTL's payment per the Board at last month's meeting. A listing of the Unpaid Bills as of July 12, 2016 was provided for the Board of Supervisors approval. The total of the unpaid bills for approval was \$39,007.90 from the General Fund. A motion was made by Herb Meadway to approve payment of the unpaid bill list totaling \$39,007.90. There was no second. Supervisor Nathan Ohlinger stated an objection to the bills and ultimately made a motion to all pay the bills on the unpaid bill list, except the Township would continue to withhold payment of \$18.29 (bookkeeping and postage charges) and \$699.00 (for not abiding by the agreement with the Township to have one sewage enforcement officer for a project whenever possible) from last month's LTL Consultants, Ltd. invoices and to withhold payment of an additional \$148.40 from this month's LTL Consultants, Ltd. invoices, until LTL Consultants, Ltd. provides further clarification with regard to these charges. This motion was seconded by Duane Bennetch. There was no public comment. (Duane Bennetch – Yes, Nathan Ohlinger – Yes, Herb Meadway - Abstained). Motion carried. The Township Secretary was instructed to schedule a meeting with LTL Consultants, Ltd. and the Board to discuss this matter further. Mr. Eric Fox thanked the Board and Rockland Township for their annual donation and support.

NEW BUSINESS

The Township received notification from the Pennsylvania Department of Environmental Protection notifying the Township that our Act 101 Recycling Program Performance Grant in the amount of \$198.00 was approved. This grant reflects the 49.7 tons of residential and commercial materials recycled by citizens and businesses in Rockland Township for calendar year 2014.

Municipal Recycling Program Performance Grant Application (under Section 904 of Act 101) – Rockland Township's performance grant application for calendar year 2015 has been prepared and provided to the Board. Rockland Township's estimated performance grant totals \$310.15 for 2015 (based on 75.98 tons of residential materials recycled and 7.33 tons of commercial materials recycled). On a motion by Duane Bennetch, seconded by Herb Meadway, the Board approved Rockland Township's Municipal Recycling 904 Performance Grant Application for calendar year 2015 totaling \$310.15 for submittal to the Pennsylvania Department of Environmental Protection. There was no public comment. All were in favor. Motion carried.

Zoning Hearing Board Variance Application – 52 Cider Mill Road – The Township received a variance application from Stephanie Koehler, 52 Cider Mill Road, requesting a variance from Sections 8.04.2 and 4.05.2 of the Rockland Township Zoning Ordinance for the construction of a detached 1,200 square foot residential garage. The public hearing is scheduled for Wednesday, August 10, 2016 at 7:00PM at the Rockland Township Municipal Building. The Board of Supervisors may provide comments on this application to the Zoning Hearing Board. The Board offered no comments.

Zoning Hearing Board Variance Application – 50 Highland Drive – The Township received a variance application from Buffy Dunkelberger, 50 Highland Drive, requesting a variance from Sections 8.04.2, 5.05.1 and 8.03 of the Rockland Township Zoning Ordinance for the construction of a detached 1,200 square foot residential garage. The public hearing is scheduled for Wednesday, August 17, 2016 at 7:00PM at the Rockland Township Municipal Building. The Board of Supervisors may provide comments on this application to the Zoning Hearing Board. The Board offered no comments.

CORRESPONDENCE

A listing of correspondence dated July 12, 2016 was presented to the Board of Supervisors for their review.

Reports regarding zoning/building, sewage and stormwater issues and activity for June 2016 were provided to the Board of Supervisors for review. Direction was requested from the Board regarding the following complaints and/or code-related matters.

- Complaint Form – Highland Drive – Grass not cut. Township sent letter to property owner requested grass be cut by June 30, 2016. The Township Solicitor informed the Board that he will further investigate property owner information.
- Complaint Form – Ridge Drive – Livestock/goats on property. The Code Official sent a letter to the property owner, along with a copy of the zoning regulations for keeping animals in residential areas. On a motion by Duane Bennetch, seconded by Nathan Ohlinger, the Board authorized the Township Code Official to take further enforcement action. There was no public comment. All were in favor. Motion carried.
- Complaint Form – Lyons Road – Rodent/Possible Property Maintenance Issues – On a motion by Duane Bennetch, seconded by Nathan Ohlinger, the Board authorized this complaint be passed along to the Township Code Official. There was no public comment. All were in favor. Motion carried.
- Burning Complaint – Fredericksville Road – The complainant attended tonight's meeting and questioned why the Township is not enforcing the Township Burning Ordinance. The complainant advised that violations to the Burning Ordinance (burning unattended, smoldering, smoke across property lines, etc.) continue to occur at 138 Fredericksville Road. Another neighbor, who identified himself as the First Assistant Chief with the Lyons Fire Company, also confirmed that he also witnessed burning occurring which violated the Township Burning Ordinance. On a motion by Duane Bennetch, seconded by Nathan Ohlinger, the Board authorized this complaint be passed along to the Zoning Officer, Michael Schwenk, to pursue enforcement action. There was no public comment. All were in favor. Motion carried.
- Signs Complaint – Conrad Road – Per the March 8, 2016 Board meeting, this matter was tabled until July 2016. This matter is now considered closed.
- Complaint Form – Day Road – The Board noted the deadline for clean-up of 14 Day Road is July 31, 2016. On a motion by Duane Bennetch, seconded by Herb Meadway, the Board authorized LTL Consultants, Ltd. to take further enforcement actions, if the property is not headed toward compliance by August 1, 2016. There was no public comment. (Herb Meadway – Yes, Duane Bennetch – Yes, Nathan Ohlinger – Abstained). Motion carried.

UPCOMING MEETINGS/EVENTS:

Tuesday, July 26, 2016 @ 7:30PM – Planning Commission Meeting

Tuesday, August 9, 2016 @ 7:30PM – Board of Supervisors Meeting

PUBLIC COMMENT

There was no public comment.

There being no further business, the meeting was adjourned at 8:42PM on a motion by Duane Bennetch, seconded by Herb Meadway. Motion carried.

Respectfully submitted,

Karen Krall
Secretary/Treasurer