

**TILDEN TOWNSHIP BOARD OF SUPERVISORS**

Saturday, October 8, 2011  
Regular Meeting

The Tilden Township Board of Supervisors met in the Township Municipal Building with the following present: Supervisors Gene Schappell, Russell Werley and Judy Romig, Township Secretary, Cheryl Haus, Township Solicitor, Joan London and several citizens. A copy of the roster is on file with the secretary.

The meeting was called to order by Chairman Russell Werley, at 8:00 A.M. followed by the pledge of allegiance.

**PUBLIC PARTICIPATION -**

**Shawn Clark of 16 Dale Drive** spoke with the Supervisors about the outdoor wood burning stove on Foxwood Drive. Mr. Clark supplied pictures of the smoke in the area. The code official will be asked to visit the site. A draft ordinance has been received by the Board.

Joe McAvoy of 406 Elm Avenue asked about the sewer hook-up at the mobile home park. Chairman Werley stated an agreement is being worked on between Tilden Township and GSP Management, due to an order by DEP.

**PAYMENT OF BILLS**

**A motion was made by Judy Romig and seconded by Gene Schappell to pay the following bills:**

**General Fund** - Ck# 17349-17408 in the amount of \$246,274.71  
Auto deductions in the amount of \$1,042.19  
**Payroll** - Ck# 11792-11813 in the amount of \$17,207.24  
ACH & EFTPS Transfers (Fed & State taxes) \$5,791.63  
**Cabela's Traffic Light Fund** - auto deductions in the amount of \$57.73  
**Sewer Fund** - Ck# 2428-2444 in the amount of \$385,722.08  
Auto deductions in the amount of \$397.68  
**TIP Traffic Light Fund** - Auto deduction in the amount of \$60.24  
**TIP Street Light Fund** - Auto deduction in the amount of \$1,405.98  
**West Hamburg Street Lt Fund** - Auto deduction in the amount of \$253.39  
**Building & Zoning** Ck # 136-137 in the amount of \$19,334.40  
**Tilden Ridge Traffic Light** - Auto deductions in the amount of \$72.25  
**Red Robin Financial Security** - Check # 1003 in the amount of \$133,554.  
**Park & Recreation** - Ck # 350-352 in the amount of \$ 9,332.24  
**Fire Tax Fund** - Ck # 350 & 103 in the amount of \$45,000.00  
Upon roll call, Romig, Schappell and Werley voted yes.

**DEBT SERVICE**

Building - \$ 832,000.00  
Tilden Collection System - \$4,592,000.00  
HMA sewer expansion - \$ 2,848,015.33

**APPROVAL OF MINUTES**

**A motion was made by Judy Romig and seconded by Gene Schappell to approve the September 2 & 30, 2011 meeting minutes. Upon roll call, Romig, Schappell and Werley voted yes.**

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**Scott Haus of Haus Automotive** started the discussion of the Fire Code inspection and the hardship to small businesses. Haus said it was a wake up call as he has fire extinguishers that are charged, but not inspected.

**Pastor Schmidt of Faith Bible Church** stated Anthony visited his church and this is a burden on his small congregation.

**Jim Woodchick , Safety Inspector @ Conestoga Foundry,** stated he would like the entire ordinance repealed / wiped clean. This ordinance is redundant to state regulations that are already required and the fees do not make any sense.

All the Supervisors agreed that safety is important, however, they did not want to force small businesses out.

**Henry Witmyer of Conestoga Foundry** stated as far as employees safety, his workers comp controls that.

**Pastor Buzzard of St. Michael's Church** stated at his previous church, the fire company would come in, see the building. He said it was a wake up call and he likes the safety aspect. A donation to the fire company was better than giving fees to government.

**Barry Shollenberger of 80 Pine Road** said it is a good idea for the fire company to come in, inspect his building since they are the first responders, for a donation.

**Anthony Merklinger, Code Official** stated he is not concerned about the liability for buildings, but to have health and safety in place for employees / public.

**A motion was made by Russ Werley and seconded by Judy Romig to temporarily suspend the inspection and enforcement requirements, under the current Fire Code Ordinance, to take the matter under study and revisit the fee schedule. Upon roll call, Werley, Romig and Schappell voted yes.**

Supervisor Romig asked for a committee of volunteers to review this information. Barry Shollenberger, Tina Stanton and Jim Woodchick volunteered. Ms. Romig will be in touch with them to set up a workshop in the evening.

**REPORT - POLICE**

The report for September, 2011 was given by Acting Chief McEllroy. 60 shifts were covered, 480 hours were worked, 2,195 miles were put on vehicles and 229.29 gallons of fuel were used. (Additional information is available on the Police Report)

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Saturday, October 8, 2011  
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Supervisor Schappell stated he met with the chief and things are in order. No discrepancies and a good vision for the future were found. Supervisor Schappell suggested that the Board meet with the Acting Chief and discuss a possible contract.

The 2012-2015 police contract was not signed as changes from the Attorney were just received.

**REPORT - SOLICITOR**

None

**REPORT - ZONING/SEO**

The zoning / building code reports for September, 2011 were received.

**REPORT - DRIVEWAY/ROADMASTER**

The Report for September, 2011 was received.

**A motion was made by Russ Werley and seconded by Gene Schappell to approve the Notice of Completion for the 2011 Road Project. Upon roll call, Werley, Schappell and Romig voted yes.**

**REPORT-SECRETARY**

The secretary's report for September, 2011 was given by Cheryl Haus. The earned income taxes for August 2011 was received in the amount of \$73,044.88. The 2012 budget will be prepared immediately following today's meeting. The preliminary budget will be adopted at the November 5 meeting with the final budget being adopted at the December 10 meeting.

The secretary will be on vacation October 17 through October 31, 2011

**REPORT - PARK & RECREATION**

Questions concerning the concession stand / restrooms were discussed.

**REPORT - OLD BUSINESS** None

**REPORT - SUBDIVISIONS / LAND DEVELOPMENT**

**A motion was made by Judy Romig and seconded by Gene Schappell for final conditional approval for Phase I and Phase II of the Contentment Farms final plan, contingent on meeting the comments of Carbon Engineering, Inc.'s letter of October 6, 2011 and an additional comment of a notation on the plan of Phase I for the Dedication to the Township of lot 21 of 6.2 acres, upon final plan approval.**

**Phase I, Chapter 27-Subdivision and Land Development Ordinance**

1. The "Certificate of Ownership, Acknowledgement of Plan, and Offer of Dedication" shall be signed and notarized. The "Offer of Dedication" and last sentence regarding street dedication can be deleted.

TILDEN TOWNSHIP BOARD OF SUPERVISORS

Saturday, October 8, 2011  
Regular Meeting

(Sec.403.(c) (18))

2. The year within the "Board of Supervisors' statement shall be revised. (Sec.403.(c) (10) and Sec.402.(c) (20))
3. Additional condition on the plan of Phase I, for the Dedication to the Township of Lot 21 of 6.2 acres, upon final plan approval.

Phase II, Chapter 23-Sewers and Sewage Disposal

1. A tapping fee shall be paid for the proposed connection to the sanitary sewer system (Sec. 104.)

Chapter 27-Subdivision and Land Development Ordinance

1. An erosion and sediment pollution control plan must be deemed adequate by the Berks County Conservation District. An NPDES Permit for Stormwater Discharges Associated with Construction Activities must also be obtained for the project. (Sec.304.(d) (20), Sec.304.(d) (3), Sec.403.(d) (12), and Sec.508.(c) (2))
2. An Improvements Guarantee (Improvement Agreement) including financial security for all required improvements shall be provided. A construction cost estimate shall be provided. (Sec.304.(d) (10), Sec.305.,Sec.403.(d) (7), and Sec. 601.(b))
3. A Maintenance Guarantee including financial security for all dedicated improvements shall be provided. A construction cost estimate shall be provided. (Sec.306.)
4. The "Certificate of Ownership, Acknowledgement of Plan, and Offer of Dedication" shall be signed and notarized. (Sec.403.(c) (18))
5. The year within the "Board of Supervisors' statement shall be revised. (Sec.403.(c) (19) and Sec.402.(c) (20))
6. Right-of-way deeds of dedication shall be provided. (Sec.403.(d) (4))
7. Copies of any proposed deed restrictions shall be provided. (Sec.403.(d) (5))
8. A copy of the approval from the PA DEP for the proposed method of sewage disposal shall be provided/ (Sec.403.(d) (10), Sec.505.(c), and Sec.602.(e) (2))
9. A Highway Occupancy Permit (HOP) from Penn DOT must be obtained for the proposed Linden Drive intersection with Hex Highway, S.R. 4028. A copy of the HOP should be provided. (Sec.403.(d) (13))

Traffic Impact

1. A traffic impact fee of \$23,072 must be paid for the traffic generated from this project.

Upon roll call, Romig, Schappell and Werley voted yes.

A motion was made by Judy Romig and seconded by Gene Schappell to release the financial security for the Red Robin Land Development, in the amount of \$54,908.00, leaving a balance in the financial security of \$0, as per the letter from Carbon Engineering, Inc. dated October 5, 2011. Upon roll call, Romig, Schappell and Werley voted yes.

A motion was made by Russ Werley and seconded by Gene Schappell to authorize advertisement, etc. to schedule the Zoning Amendment Hearing for December 10, 2011. Upon roll call, Werley, Romig and Schappell voted yes.

REPORT - NEW BUSINESS

**TILDEN TOWNSHIP BOARD OF SUPERVISORS**

Saturday, October 8, 2011  
Regular Meeting

A motion was made by Judy Romig and seconded by Gene Schappell to change the December meeting dates from workshop ( Dec 2 ) and meeting ( Dec 3 ) TO workshop ( Dec 9 ) and meeting ( Dec 10 ). Upon roll call, Romig, Schappell and Werley voted yes.

A motion was made by Gene Schappell and seconded by Judy Romig to approve the Hamburg Fire Company boot drive on Cabela Drive on Black Friday, November 25, 2011. Upon roll call, Schappell, Romig and Werley voted yes.

A motion was made by Gene Schappell and seconded by Judy Romig to approve energy quote at the rate of 8.41 cents per KWH (versus the 12 cents we currently pay) with First Energy from January 2012 through June 2013. Upon roll call, Werley, Schappell and Romig voted yes.

A motion was made by Judy Romig and seconded by Gene Schappell to authorize the advertisement, etc. of the EIT ordinance amendment for the November 5, 2011 meeting. Upon roll call, Romig, Werley and Schappell voted yes.

A motion for Resolution # 13, 2011, was made by Judy Romig and seconded by Russ Werley, designating Trick-Or-Treat night in Tilden Township as Wednesday, October 26 and Thursday, October 27, 2011 from 6-9 p.m. Upon roll call, Schappell, Werley and Romig voted yes.

An announcement was made that the Budget Preparation meeting will immediately follow today's regular meeting.

**MISCELLANEOUS CORRESPONDENCE** was available with the Secretary as well as minutes and reports of all Boards in Tilden Township.

**ADJOURNMENT**

A motion was made by Gene Schappell and seconded by Judy Romig to adjourn the meeting at 9:05 A.M. Upon roll call, Werley, Romig and Schappell voted yes.

ATTEST:

Cheryl A. Haus  
Secretary