

**LOWER HEIDELBERG TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING HELD ON  
MAY 19, 2014**

The Lower Heidelberg Township Board of Supervisors held their regularly scheduled meeting on the above date. Those present were: Chairperson Deborah Scull, Vice-Chairman Neal Nevitt, Member Cheryl Johnson, Township Solicitor Andrew Bellwoar, Systems Design Engineering Pamela Stevens, Codes Enforcement Officer Glenn Kraft, Road Foreman Michael Boyson and other attendees, Secretary/Treasurer Diana L. Minnich. The meeting was called to order by Chairperson Scull at 7:01 p.m. Chief W. Thomas Deiterich and Township Engineer Ryan Rhode were absent.

The Minutes of the Meeting from the April 21, 2014 Regular Meeting and May 13, 2014 Workshop Meeting were distributed for review prior to the meeting.

**MOTION**

A motion was made by Member Cheryl Johnson, seconded by Chairperson Deborah Scull to approve the minutes of April 21, 2014 and May 13, 2014. The vote was unanimous and the motion carried.

**Open to the Public:**

Timberlake Subdivision Lot No. 9: Mr. Barnett was looking for approval of Timberlake Subdivision Lot #9. Since Ryan Rhode was absent, Mr. Bellwoar suggested that the Board could sign the plans after the meeting and not release them until GVC gives his verbal ok. The Board accepted the Solicitor's suggestion.

Timberlake – Lot 68: The PC recommended approval of the subdivision.

**MOTION**

Chairperson Deborah Scull moved that the Township approve the Timberlake Lot 68 Subdivision application, subject to the conditions set forth in the form of decision presented by the Township Solicitor. Member Cheryl Johnson seconded the motion. Motion carried with Mr. Nevitt abstaining.

Green Valley Estates West: Final Plans were submitted for Phase 1 and the PC recommends conditional approval. There are a number of outstanding issues remaining. Mr. Barnett's concern is that he will lose one month of review because the submission deadline for plans was today, May 19<sup>th</sup>.

**MOTION**

Chairperson Deborah Scull motion to waive, for this month only, the time frame for submission of the Green Valley West plans to Wednesday May 28 to submit plans for review by the consultants for the PC meeting on June 9th. The motion was seconded by Member Cheryl Johnson. Motion carried with Mr. Nevitt abstaining.

The Green Valley Country Club would like to try to hide the sewer manhole. The manhole is elevated approximately 3 ft because of flood elevations. Mr. Barnet asked the Board to be able to paint the manhole or plant bushes around them. The Board is in agreement.

Timberlake Phase 2: The Township received Escrow Release Request No. 3 for the Timberlake Phase 2 Subdivision submitted by Grande Construction. The request is for the release of funds associated with sidewalk installation, electric utility installation and construction observation fees to date. GVC recommends approval of the release in the amount of \$56,163.00.

#### **MOTION**

Member Cheryl Johnson motioned to approve Timberlake Phase 2 Escrow Release Request No. 3 in the amount of \$56,163.00. Vice-Chairperson Deborah Scull seconded the motion. Motion carried with Mr. Nevitt abstaining.

Mr. Wagner from 58 Virginia Ave attended the meeting to obtain approval for the installation of an aluminum fence on a sewer easement. There is a minor change to the original drawing of the installation.

#### **MOTION**

Motion was made by Chairperson Deborah Scull to adopt the "Declaration of Easement Encroachment Agreement" with the Wagner's. Motion was seconded by Vice-Chairman Neal Nevitt. The vote was unanimous and the motion carried.

Maggie Clouser just wanted to know if GVC was able to get in touch with the PennDOT representative regarding the drainage issue on her property. The discussion is ongoing.

#### **Tax Collectors Report:**

The Tax Collector turned over \$1,617,529.18.

#### **Treasurers Report:**

Attached to the minutes is the Summary of the Revenues and Expenditures for the month of April 2014.

#### **MOTION**

A motion was made by Chairperson Deborah Scull, seconded by Vice-Chairman Neal Nevitt to accept the Tax Collectors Report and the Treasurer's Report. The Report from the Tax Collector must be submitted in DCED format correctly and accompanied with the correct reports from the County and BCIU. When the Tax Collector prints out her computer reports the printouts should not be altered or handwritten on after receipt from the County or BCIU this is not acceptable and is **subject to Audit**. The vote was unanimous and the motion carried.

**Bills for the month of May 19, 2014:**

**MOTION**

A motion was made by Chairperson Deborah Scull and seconded by Member Cheryl Johnson to accept and approve the bills for the month to be paid. Motion carried with Mr. Nevitt abstaining.

**Emergency Management Coordinator/Fire Commissioner's Report:**

Fire Commissioner Jeffrey Weidner was absent therefore, Member Cheryl Johnson gave the Fire Report for the month of April 2014. The Department responded to 63 incidents. There was an average of 8 people per incident. There was a property loss of \$1,200.00 in Sinking Spring. Mrs. Johnson stated that if the Fire Commissioner can't make a meeting the Fire Chief should. She will address it at the Fire Board meeting.

**Planning Commission:**

The Planning Commission met on May 12th. There were 6 projects before the Board being Timberlake Lot 68 annexation, Green Valley West, McGlenn Subdivision and Glen Gery Minor Subdivision, Cacoosing Crossing North and Heffner Estates sketch plan. The Planning Commission Workshop is scheduled to meet on May 28, 2014.

**Building/Zoning Report:**

Glenn Kraft reviewed his report.

Kraft Codes received a call from the Deputy Secretary of the Pennsylvania Department of Agriculture regarding the Notice of Violation of the barn located at 270 Sportsman Road. The contractor is scheduled to start demolition of the barn. The damaged areas of the barn have been removed and they continue to work on removing the remaining areas of the barn.

Advanced Urgent Care Zoning Hearing was held on May 6<sup>th</sup>, at 7:00 p.m. The ZHB ruled that the applicant was not eligible for the Special Exception relief they were seeking, since the owner of the property testified that he did not give the applicant permission to seek such relief. The Board also upheld the Zoning Officers decision on all of the violations listed on both NOV's except one.

**Great Valley Consultants Report:**

In the absence of the Township Engineer, the Board of Supervisors reviewed his report.

The following items were addressed:

1. 2014 Street Work: The bids were opened on Monday 12, 2014. The lowest qualified bidder is Reading Materials, Inc. with a Base Bid of \$324,075.00 and an Alternate Bid of \$331,782.80. The bids have been reviewed by GVC and the Township Solicitor, and found to be complete and accurate. GVC recommends the Board award the 2014 Street Work to Reading Materials, Inc.

## **MOTION**

Vice-Chairman Nevitt moved to accept the Reading Materials, Inc. Base Bid in the amount of \$324,075.00 for the 2014 Street Work. Motion was seconded by Chairperson Scull. The vote was unanimous and the motion carried.

### **SDE Consulting Report:**

Pamela Stevens gave her report.

1. Legacy at the Papermill: A representative from the City of Reading contacted SDE concerning the billing matter on May 6, 2014. SDE forwarded the City copies of the signed Agreement and Amendment to the Agreement. The letter regarding the sewer billing for the Legacy at the Papermill was sent out.
2. Red Barn: A brief discussion took place regarding the proposed poultry operations currently owned by Larry and Dolores Gelsinger. It appears that all of the farming operations in located in Heidelberg Township. One concern is that if they are using the property simply to meet certain zoning criteria such as impervious coverage or physical using it for land application. Pamela will try to get some additional information.
3. Sewer Billing: SDE will review the televising report in the Stitzer meter area submitted by Mr. Rehab and will make recommendations to the Board.
4. Operations – Conveyance System Operations: SDE contacted Captain Clog to gather information regarding the tree root foam and televising the lateral and the costs to do that. The tree root foam is \$40.00 and will last between 1 to 2 years, televising the lateral will cost \$175.00.

## **MOTION**

Motion was made by Vice-Chairman Neal Nevitt, seconded by Chairperson Deborah Scull to direct SDE to coordinate with Captain Clog to apply the tree root foam for \$40.00 and televise the lateral in the amount of \$175.00. The vote was unanimous and the motion carried.

### **Recreation Board:**

Chairperson Deborah Scull gave her report. The Earth Day celebration was a success. The Rec Board ordered a shed to be placed behind the salt shed for the Rec Board supplies that are located downstairs. The Board is investigating a movie projector in order to have movie nights outside at the Township Building over the summer and they are also investigating a system for the meeting room so the public can see land development and/or subdivision plans that are submitted by engineers.

### **Chief of Police Report:**

In the absence of Chief Deiterich, Police Commission Cheryl Johnson gave the report for the month. The Police had 375 calls during the month of April.

### **Road Foreman Report:**

Road Foreman Mike Boyson gave his report for the month of April. The Road Crew did pothole patching on several roads. Maintenance was done to several pieces of equipment. Hafer Equipment made repairs to the fuel tank. Heckman Septic performed the annual service to the septic system. Mike met with the sprinkler technician which will be back to perform a full system test. Also, Mr. Boyson met with the elevator technician and inspector for the elevator certification.

### **Secretary's Report:**

One item for approval is a resolution that will allow destroying old records in the basement.

### **MOTION**

Chairperson Deborah Scull motioned to adopt Resolution No. 2014-11 that will allow for destruction of certain municipal records as attached to the Resolution. Member Cheryl Johnson seconded the motion. The vote was unanimous and the motion carried.

Alarm Tech Suppression, Inc. submitted a proposal to perform the 5 yr internal fire sprinkler inspection full flow test and 3 backflow preventer inspections. The proposal is in the amount of \$970.00. Andrew Bellwoar reviewed the proposal and made one change. The proposal states that "All information contained within this proposal is considered confidential information". Mr. Bellwoar added "except as required under PA's Right to Know Law".

### **MOTION**

Motion was made by Chairperson Deborah Scull to accept the Alarm Tech Suppression, Inc. proposal in the amount of \$970.00 as amended. The motion was seconded by Member Cheryl Johnson. The vote was unanimous and the motion carried.

### **Solicitor's Report:**

1. Fire Pits and Outdoor Burning Ordinance: The current Burning Ordinance does not permit outdoor fire pits. This ordinance is ready to be advertised for adoption.

### **MOTION**

Motion was made by Vice-Chairman Nevitt, seconded by Chairperson Deborah Scull that the Township advertise for adoption at the Board's June 16, 2014 meeting, an ordinance to amend the Township's Fire Protection regulations to allow for fire pits, as set forth in the form presented by the Township Solicitor's office. The vote was unanimous and the motion carried.

2. Green Valley Estates Phase 12 Dedication & Stop Sign Ordinance: The Deeds of Dedication and other appropriate filings have been made with the Berks County Clerk of Courts.

The list of stop sign intersections should be updated to reflect the new intersections as Township roads. SBM prepared a draft ordinance for consideration.

## **MOTION**

Chairperson Scull moved that the Township advertise an ordinance to designate the intersections of Valley Court and Connecticut as well as the intersection of Connecticut and Virginia Avenues as stop sign intersections of the Township, for the Board's June 16<sup>th</sup> meeting. Vice-Chairman Nevitt seconded the motion. The vote was unanimous and the motion carried.

3. Glen Gery/Residue Parcel Subdivision: The PC recommended approval of the plans.

## **MOTION**

Chairperson Scull moved, seconded by Vice-Chairman Nevitt that the Township approve the preliminary/final subdivision application for the Glen Gery Residue Parcel pursuant to the form of the decision presented by the Township Solicitor. The vote was unanimous and the motion carried.

4. Legacy at the Paper Mill/Phase I: The Township calculated interest for unpaid professional consultants invoices pertaining to the said project which has been disputed by Mark Powell. Mr. Powell proposed to pay \$12,000 for payment in full regarding to the interest and pay the outstanding consultants invoices.

## **MOTION**

The motion was made by Vice-Chairman Neal Nevitt that the Township accept the offer of Legacy to resolve the interest issue in consideration for a payment to the Township in the amount of \$12,000.00, and authorize the release of any promissory notes or mortgages related to the same. The motion was seconded by Member Cheryl Johnson. The vote was unanimous and the motion carried.

5. McGlenn Revised Final Plans: The Planning Commission recommended approval of the application.

## **MOTION**

Member Cheryl Johnson motioned that the Township approve the McGlenn revised subdivision plan application, subject to the conditions set forth in the form of decision presented by the Township Solicitor. Chairperson Deborah Scull seconded the motion. The vote was unanimous and the motion carried.

6. Cargill Salt Delivery Issues: Counsel for Cargill provided a formal settlement proposal. More information is needed prior to settling this issue.
7. Harwood Lane Sinkhole: GVC received informal bids from several contractors. Forino Co., LP was the lowest responsible bidder and, per the Board's authorization at the April's meeting, it was awarded the bid.

## MOTION

Motion was made by Vice-Chairman Nevitt, seconded by Member Johnson that the Board of Supervisors approve and ratify the selection of Forino Co., LP for the Harwood Land Sinkhole repairs. The vote was unanimous and the motion carried.

8. 203 Saddlebrook Drive Sewer Bill: The said property is scheduled for foreclosure sale (Sheriff's Sale). They have an outstanding sewer account balance of \$3,976.01. SBM is proposing to file a lien in the said amount to protect the Township's interest. A lien in the amount of \$4,631.00 was filed previously in 2010. Mr. Bellwoar recommends filing the lien and waiting for the Sheriff's Sale. It is possible that the property owners will file for bankruptcy which will further delay the sale.

## MOTION

Chairperson Scull moved to authorize the filing of a municipal lien against the property located at 203 Saddlebrook Drive in the amount of \$3,976.01 for unpaid sewer fees. Vice-Chairman Nevitt seconded the motion. The vote was unanimous and the motion carried.

9. 318 Pine Street: Mr. Mastrangelo, the property owner, submitted a request to have a handicapped parking space in front of his house. Both he and his wife have handicapped parking permits. The Board agreed to have SBM to move forward with the agreement for the handicapped space.
10. Memorandum of Understanding: The Chief was given a Memorandum of Understanding from the Wilson School District as regards to security cameras and access for the Police Department to the security cameras. Mr. Bellwoar reviewed the document and had a couple of changes. The Board tabled this item until the Chief comes back.

### Open to the Public:

Mr. Koch thanked the Township and volunteers for the Earth Day Activities.

One resident asked about the time line of opening the bridge along Connecticut Ave. There is still some work to be done and the bridge needs to be inspected. The Board does not have a date.

There being no further business a motion to adjourn was made by Member Cheryl Johnson and seconded by Chairperson Deborah Scull. The meeting adjourned at 8:03pm.

Respectfully Submitted,



Diana Minnich  
Secretary/Treasurer

APRIL 2014 TREASURER'S STATEMENT	
<b>GENERAL FUND</b>	
Beginning Bal	\$663,455.63
Revenue	204376.96
Expenditures	233046.02
P/R Transfers	96788.10
Interfund Transfers	127231.95
Electronic debits	1262.92
Banking Fees	42.95
Interest	118.99
Ending Bal	\$664,043.54
<b>STREET LIGHT FUND</b>	
Beginning Bal	\$52,180.71
Revenue	8011.50
Transfers	7842.42
Interest	8.80
Ending Bal	\$52,358.59
<b>FIRE PROTECTION</b>	
Beginning Bal	\$16,171.20
Revenue	28467.11
Transfers	0.00
Interest	3.93
Ending Bal	\$44,642.24
<b>AMBULANCE FUND</b>	
Beginning Bal	\$26,144.47
Revenue	6405.08
Transfers	0.00
Interest	4.75
Ending Bal	\$32,554.30
<b>SEWER FUND</b>	
Beginning Bal	\$887,047.91
Revenue	92939.75
Transfers	73005.39
Bank Fees	35.00
Interest	146.57
Ending Bal	\$907,093.84
<b>TRASH AND RECYCLING FUND</b>	
Beginning Bal	\$29,086.95
Revenue	29988.00
Transfers	44466.25
Interest	4.65
Ending Bal	\$14,613.35



APRIL 2014 TREASURER'S STATEMENT						
<b>FIRE HYDRANT FUND</b>						
Beginning Bal	\$19,944.91					\$9,371.26
Revenue	1067.54					0.00
Transfers	1174.07					743.82
Interest	1.65					0.76
Ending Bal	\$19,840.03					\$8,628.20
<b>DEBT SERVICE FUND</b>						
Beginning Bal	\$192,217.81					\$141,256.10
Revenue	27755.38					0.00
Transfers	0.00					1340.90
Interest	33.57					23.20
Ending Bal	\$220,006.76					\$139,938.40
<b>RECREATION FUND</b>						
Beginning Bal						\$9,371.26
Revenue						0.00
Transfers						743.82
Interest						0.76
Ending Bal						\$8,628.20
<b>STATE AID FUND</b>						
Beginning Bal						\$141,256.10
Revenue						0.00
Expenditures						1340.90
Interest						23.20
Ending Bal						\$139,938.40