

**LOWER HEIDELBERG TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
JUNE 16, 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, Chief W. Thomas Deiterich, Township Engineer Ryan Rhode, 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.

The Minutes of the Meeting from the May 19, 2014 Regular Meeting and June 10, 2014 Workshop Meeting were distributed for review prior to the meeting. One change was made, page 3 under 2014 Street Work, is should state that the bids were opened on May 12, 2014.

MOTION

A motion was made by Vice-Chairman Neal Nevitt, seconded by Member Cheryl Johnson to approve the minutes of May 19, 2014 and June 10, 2014 as amended. The vote was unanimous and the motion carried.

Open to the Public:

Mr. Chris Dailey lives on Erich Street which his property abuts Elm Street. Several years ago, the white pine trees that are along the back of his property dropped several large branches and damaged his fence. The trees are now pulling down the power lines. The one tree is dying and Mr. Dailey is afraid of them coming down and damaging his fence again. He would like the Township to take the trees down because he believes the Township owns them. The trees are in the right-of-Way. Mrs. Scull will try to get some answers for him.

In June, the Township gave Glen Gery Residue Lot Final Plan approval subject to a number of conditions being satisfied. One of the conditions was getting approval from DEP for the proposed sewage treatment system. Nitrates were detected and the applicant's request for exemption from the Sewage Facilities Planning Module was denied. The applicant has an anxious buyer lined up and requested release of the plans for recording subject to escrowing \$10,000.00 as assurance that the nitrate system will be appropriately completed.

The open issues are as follows: payment of \$17,500.00; payment of the additional \$17,500.00 within three months or sale; DEP approval; revise plans to note percentages of woodlands and steep slopes. In addition, the applicant will need a waiver from Section 525G of the SALDO.

MOTION

Vice-Chairman Neal Nevitt motioned to grant the waiver from Section 525G from the SALDO. The motion was seconded by Chairperson Deborah Scull. The vote was unanimous and the motion carried.

MOTION

Mr. Nevitt motioned to approve the release for recording the preliminary/final subdivision plans for the Glen Gery Residue Parcel: subject to the Applicant continuing to satisfy the terms of the Agreement regarding this parcel together with the establishment of an escrow in the amount of \$10,000.00 as assurance that the nitrate system will be appropriately completed, and no building permits will be issued except for the footers. Mrs. Scull seconded the motion. The vote was unanimous and the motion carried.

Mr. Keppley resident in Autumn Ridge has a landscape contractor take care of his yard. The organic matter disposal site doesn't allow landscapers to dispose of the yard waste. It costs Mr. Keppley more for the contractor to dispose of the yard waste elsewhere. The Board explained that the site is owned and controlled by South Heidelberg. However, Mr. Nevitt will contact South Heidelberg to discuss this matter.

Representative from the Community Evangelical Church attended the meeting to inform the Board that they would like to have a 5K run on September 27th from the Wilson West Middle School through Green Valley Estates and back across Green Valley Road to the school. This would require the closure of Green Valley Road for a period of time so the runners can cross. The Church requested a letter from the Township giving approval for this run to go along with the PennDOT application to get approval for closure of Green Valley Road. Also, they are looking for help from the Fire Police. The Township Secretary will prepare the letter and contact Ms. Greene when it is ready.

Green Valley Estates West: The Board tabled final approval during the May meeting due to having several open issues. Since, a revised final Phase 1 plan was submitted and reviewed by the Township Engineers. A few issues remain open but would be acceptable as conditions of an approval. SBM prepared a draft decision for consideration.

MOTION

Chairperson Deborah Scull moved that the Township approve the Phase 1 Final Plan Application for the Green Valley Estates West Subdivision pursuant to the form of decision presented by the Township Solicitor. The motion was seconded by Member Cheryl Johnson. Motion carried with Mr. Nevitt abstaining.

Tax Collectors Report:

The Tax Collector will turn over \$32,933.50.

Treasurers Report:

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

MOTION

A motion was made by Member Cheryl Johnson, 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 June 16, 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 gave the Fire Report for the month of June 2014. The Department responded to 73 calls. There was an average of 8 people per incident. There was a property loss of \$700.00 in Lower Heidelberg Township. Mrs. Johnson stated that if the Fire Commissioner can't make a meeting someone else should attend. Cheryl Johnson mentioned that she heard that the tanker is being sold. Mr. Weidner said it was not.

Planning Commission:

The Planning Commission met on June 9th and approved the May minutes. The Board reviewed the Green Valley Dental plan and discussed the Gelsinger's poultry farm proposal. There were three time extensions before the Board for consideration. The Planning Commission Workshop is scheduled to meet on June 25, 2014.

Building/Zoning Report:

Glenn Kraft reviewed his report.

Kraft Codes received several property complaints. Following distribution of the ZHB decision, 23 citations were issued against Advanced Urgent Care for violations of the Township Zoning Ordinance.

Mr. & Mrs. Leibman submitted an application for a Special Exception. The property is located at 190 Evans Hill Road. The applicants are proposing to construct an additional single family dwelling on the said property. The hearing is scheduled for July 16th at 7:00 p.m.

41 Pacific Ave is not being maintained and there is no one to contact to request maintenance. The Road Crew placed this property on the list to mow. SBM will begin placing liens against the property to recoup expenses incurred by the Township. SBM will follow through to try to find out who is responsible for the said property.

Mr. Kraft requested a brief executive session to discuss possible litigation.

Great Valley Consultants Report:

Ryan Rhode, Township Engineer gave his report.

The following items were addressed:

1. Paper Mill Road Bridge: Scott Stock, representative of Mackin Engineering inspected the bridge. The representative is looking to meet with the Township by mid-July.
2. Gaul Road Bridge: GVC contacted Mr. Stock, Mackin Engineering, to discuss the Priority I Re-notification which was received by the Township. Mr. Stock would prefer to see the Township install some type of traffic delineation device to prohibit vehicles from traveling near the fascia beams.
3. 2014 Street Work: GVC issued the Notice of Intent to award to Reading Materials. A pre-construction meeting is scheduled. Once all the required documents are received, GVC will issue the Notice of Award and Notice to Proceed. The anticipated start of work to begin on June 30.
4. 3324 Harwood Lane – Sinkhole: Since last month, the driveway apron and curbing have been reinstalled. Currently waiting for Forino's subcontractor to finalize the paving repair to Harwood Lane.
5. Baltic Avenue – Roadway Settlement: There is a section of Baltic Avenue that appears to be settling over top of the existing water main. PA American Water does not believe their water main is leaking. This will require milling of the existing blacktop and repaving. GVC is going to explore having Reading Materials perform the work as a change order to the 2014 Street Work.
6. Annual MS4 Report: GVC prepared and submitted the Township's Annual MS4 Report in accordance with PA DEP requirements.
7. Handicap Parking Request – 318 Pine Street: GVC prepared the required location information for the requested parking space.
8. Evan's Hill/State Road Drainage: PennDOT is willing to supply all of the storm sewer materials including stone, culvert pipes, inlet boxes, headwalls and end-sections. LHT would then be responsible for permitting the project, installing the storm sewer culverts as well as 6 inches of 25 MM Superpave Wearing Course. The Board agreed not to undertake the construction in this matter.

SDE Consulting Report:

Pamela Stevens gave her report.

1. Legacy at the Papermill: The Township received a response from the City of Reading regarding the sewer rates for the said location. For the year 2014, it appears that the

rate should be approximately \$80.00 per EDU per quarter. A resolution will need to be adopted for the new sewer district.

2. Cacoosing Crossing North Subdivision: This project proposes to connect to Green Valley Estates West system in Gaul Road. The applicant submitted the Planning Modules for signatures.

MOTION

Vice-Chairman Nevitt motioned authorizing the Chairperson to sign the Planning Modules for the Cacoosing Crossing North Subdivision. The motion was seconded by Member Johnson. The vote was unanimous and the motion carried.

3. Glen Gery Minor Subdivision: The SEO did perform the soil testing and the on-lot sewer locations were shown on the revised plan, however, there were high nitrates which will require a full Planning Module to be approved by PA DEP.

MOTION

Motion was made by Vice-Chairman Neal Nevitt, seconded by Chairperson Deborah Scull to sign the Glen Gery Minor Subdivision Planning Module. The vote was unanimous and the motion carried.

Recreation Board:

Chairperson Deborah Scull gave her report. Mrs. Scull met with Stereo Barn to get information regarding a movie projector in order to have movie nights outside at the Township Building over the summer and 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:

Chief Deiterich gave his report. The Police had 575 calls during the month of May. The Police Department received the new hand radios which will go live in October. The Chief requested an Executive Session after the meeting.

Road Foreman Report:

Road Foreman Mike Boyson gave his report for the month of May. The Road Crew did pothole patching on several roads. Reilly Sweeping removed the cinders and debris. The Road Crew mowed 41 Pacific Avenue because the property is not being maintained. Maintenance was done to several pieces of equipment. The Building Generator arrived on-site.

MOTION

Chairperson Deborah Scull motioned to hire William Weber, his rate of pay being \$20.00 per hour with probation of 6 months. The motion was seconded by Member Cheryl Johnson. The vote was unanimous and the motion carried.

Secretary's Report:

The Board needs to approve Kathie Matthew as the Township's Wernersville Library representative.

MOTION

Vice-Chairman Neal Nevitt moved to approve Kathie Matthew as the Lower Heidelberg Township's Wernersville Library representative. The motion was seconded by Member Cheryl Johnson. The vote was unanimous and the motion carried.

The Board discussed the option to fix the rates on the note for 8 years. The option is for one day only on July 15th. Vice-Chairman Nevitt recommended to float the rate.

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 for adoption.

MOTION

Motion was made by Vice-Chairman Nevitt, seconded by Chairperson Deborah Scull that the Township approve and adopt the ordinance to amend the Township's Fire Protection regulations to allow for fire pits, in the form as advertised. The vote was unanimous and the motion carried.

2. Green Valley Estates Stop Sign Ordinance: The proposed ordinance was advertised to update the list of stop sign intersections (to cover those intersections from the Green Valley Estates Phase 12 road dedication).

MOTION

Chairperson Scull moved that the Township approve and adopt the stop sign ordinance in the form as advertised, designating the intersections of Valley Court/Connecticut Avenues and Connecticut Avenue/Virginia Avenues as stop sign intersections of the Township. Vice-Chairman Nevitt seconded the motion. The vote was unanimous and the motion carried.

3. Handicap Parking Ordinance: SBM prepared an agreement for the Mastrangelos, to allow for the requested handicapped parking space outside their house on Pine Street.

MOTION

Motion was made by Member Cheryl Johnson that the Township advertise for adoption and approve at the Board's July 21 meeting, an ordinance to allow a handicap parking space at 318 Pine Street, in the form presented by the Solicitor. The motion was seconded by Vice-Chairman Neal Nevitt. The vote was unanimous and the motion carried.

4. Glesinger Poultry/Red Barn: The Gelsingers are proposing to expand their poultry operation in Heidelberg Township. A portion of their property is located in LHT but

none of the proposed improvements are located in it. The Gelsingers have requested that the Township waive the SALDO process.

MOTION

Member Johnson moved, seconded by Chairperson Scull that the Township approve the request of Lynnette Gelsinger for a waiver of the SALDO review process, conditioned on: 1) there remains no improvements to any portion of the property located within Lower Heidelberg Township, and 2) the applicant copying the Township on all plan submissions to, and providing plan review letter from Heidelberg Township. The vote was unanimous and the motion carried.

5. Greth – Cacoosing Crossing North: The applicant submitted a 30+ extension letter to get past the month's deadline.

MOTION

Motion was made by Mr. Nevitt that the Township approve the MPC extension for the Cacoosing Crossing North project, extending the MPC review period to July 21, 2014. The motion was seconded by Mrs. Johnson. The vote was unanimous and the motion carried.

6. Green Valley Estates West: During the June meeting, the Board of Supervisors did not grant approval because of waiting for a few open issues to be addressed. There are a few open issues remaining, but would be acceptable/appropriate as conditions of an approval.

MOTION

Chairperson Deborah Scull motioned, seconded by Member Cheryl Johnson that the Township approve the Phase 1 Final Plan Application for the Green Valley Estates West Subdivision pursuant to the form of decision presented by the Township Engineer. Motion carried with Mr. Nevitt abstaining.

7. Eways – Papermill Estates: The applicant submitted an extension request. However, the applicant owes money for long-outstanding professional consultant review fees and has depleted the review fee escrow. The Board is required by the MPC to continue to review his application, the Board has a number of options for collection: 1) file a lien against the property and/or 2) file a legal action with the Court to direct that Eways replenish the required escrow and maintain it at such amount through the balance of the review process.

MOTION

Vice-Chairman Neal Nevitt moved that the Township approve the MPC extension request for the Eways Subdivision, extending the plan review to September 15, 2014. Member Cheryl Johnson seconded the motion. The vote was unanimous and the motion carried.

MOTION

Motion was made by Vice-Chairman Nevitt, seconded by Member Cheryl Johnson that the Township Solicitor be directed to take those actions necessary to file a lien and undertake other legal action for the collection of the outstanding professional consultant fees associated with the Eways project. The vote was unanimous and the motion carried.

8. Green Valley Dental Systems: A plan submission was submitted and reviewed by the Planning Commission. There are a number of open issues remaining. However, the applicant submitted an MPC extension request.

MOTION

Member Johnson moved, seconded by Chairperson Scull that the Township approve the MPC extension request for the Green Valley Dental Subdivision, extending the plan review to September 15, 2014. The vote was unanimous and the motion carried.

9. 32 East Charles Street: The Township received notice that the said property is scheduled for a Sheriff's Sale on July 11, 2014. There is an overdue sewer balance of \$1,079.43. SBM recommends that a lien be filed against the property to preserve the Township's right to payment.

MOTION

The motion was made by Vice-Chairman Neal Nevitt authorizing the Solicitor to file a municipal lien for unpaid sewer fees in the amount of \$1,079.43 on 32 East Charles Street. The motion was seconded by Member Cheryl Johnson. The vote was unanimous and the motion carried.

10. Personnel Manual: A revised non-employee handbook was circulated to the Board for consideration. However, the Board placed the adoption on hold until the Board can look into a new policy regarding the continuance of benefits for employees on leave.
11. Application to ZHB: The Leibmans on Evans Hill Road filed a zoning application, seeking a special exception to place a 2nd single family home on their 83 acre lot. The property is located in the Ag Preservation district which requires the need of the relief. Mr. Bellwoar asked if the Board wishes to have a representative attend the meeting. The Board has no issues regarding the application.
12. 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. One change must be made which the address of the Township.

MOTION

Vice-Chairman Neal Nevitt motioned authorizing the Chief to execute the Memorandum of Understanding with the correction. Member Cheryl Johnson seconded the motion. The vote was unanimous and the motion carried.

| MAY 2014 TREASURER'S STATEMENT | | | | | |
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| GENERAL FUND | | | | AMBULANCE FUND | |
| | | | | | |
| Beginning Bal | \$664,043.54 | | | Beginning Bal | \$32,554.30 |
| Revenue | 1005313.81 | | | Revenue | 49849.89 |
| Expenditures | 318950.40 | | | Transfers | 0.00 |
| P/R Transfers | 89900.00 | | | Interest | 10.17 |
| Interfund Transfers | 146599.02 | | | Ending Bal | \$82,414.36 |
| Electronic debits | 334.50 | | | | |
| Banking Fees | 38.45 | | | | |
| Interest | 199.11 | | | | |
| Ending Bal | \$1,405,962.53 | | | | |
| | | | | | |
| STREET LIGHT FUND | | | | SEWER FUND | |
| | | | | | |
| Beginning Bal | \$52,358.59 | | | Beginning Bal | \$907,093.84 |
| Revenue | 61887.00 | | | Revenue | 67095.59 |
| Transfers | 7842.42 | | | Transfers | 35560.48 |
| Interest | 11.86 | | | Bank Fees | 0.00 |
| Ending Bal | \$106,415.03 | | | Interest | 160.49 |
| | | | | Ending Bal | \$938,789.44 |
| | | | | | |
| FIRE PROTECTION | | | | TRASH AND RECYCLING FUND | |
| | | | | | |
| Beginning Bal | \$44,642.24 | | | Beginning Bal | \$14,613.35 |
| Revenue | 221556.37 | | | Revenue | 229075.00 |
| Transfers | 73388.26 | | | Transfers | 23816.25 |
| Interest | 15.70 | | | Interest | 12.89 |
| Ending Bal | \$192,826.05 | | | Ending Bal | \$219,884.99 |
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