

**LOWER HEIDELBERG TOWNSHIP BOARD OF SUPERVISORS**  
**REGULAR MEETING**  
**JULY 21, 2014**

The Lower Heidelberg Township Board of Supervisors held their regularly scheduled meeting on the above date. Present were: Chairperson Deborah Scull, Vice-Chairperson Neal Nevitt, Member Cheryl Johnson, Township Solicitor Michael Crotty, Township Engineer Ryan Rhode, Systems Design Engineering Pamela Stevens, Codes Enforcement Officer Glenn Kraft, Chief W. Thomas Deiterich, Road Foreman Michael Boyson and Recording Secretary Theresa Conners. Absent was Secretary/Treasurer Diana Minnich.

Ms. Scull called the meeting to order at 7:00 p.m. and led the salute to the flag. Ms. Scull announced that the Board met for a brief executive session prior to the meeting to discuss possible litigation.

**Approval of Minutes**

**On Motion** by Ms. Scull, second by Mr. Nevitt, to approve the minutes of the regular meeting of June 16, 2014, the special meeting of July 3, 2014 and the workshop meeting of July 15, 2014 as presented. Motion passed unanimously.

**North Church Street Bridge over Spring Creek**

Mr. Joseph O'Neil of Whitney Bailey Cox & Magnani (WBCM), design consultant for PennDOT, presented a plan for the proposed bridge replacement over Spring Creek in Heidelberg and Lower Heidelberg Townships. The current 16 foot wide by 40 foot long concrete beam bridge is scheduled to be replaced with a span 24 foot wide by 55 foot long. Measures will be included to control bank erosion. The bridge will be closed during construction, which is planned for the spring of 2016, and the project should be complete by fall of 2016. The detour route will be approximately five miles proceeding down Church Street to Route 422. The bridge weight limit is posted at 10 tons; buses and EMS vehicles cannot cross it in the current condition. The presentation was opened to the public for discussion. A resident questioned the new weight limit after construction. Mr. O'Neil said that after the construction there will be no weight restrictions. Frank Gabell asked who will fund the cost for the bridge. Mr. O'Neil said the State will fund the entire project. A resident questioned if another bridge could be built next to the original span to replace it, keeping the original bridge open during construction. Mr. O'Neil replied that this option would not be viable as the new construction would have to take place in an environmentally sensitive area.

**Open to the Public**

On behalf of Harvey and Mary Brown, Fran Hoffert submitted final plan sets of the Brown Subdivision to the Board for signatures. As the subdivision lies in multiple townships, Ms. Hoffert must also take the plans to Spring Township for signatures. **On Motion** by Mr. Nevitt, second by Ms. Johnson, to approve the Brown Subdivision Final Plan pursuant to the decision as presented by the Township Solicitor, authorizing the plans to be recorded. Motion passed unanimously.

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Kirk Barnett, representing for Green Valley Estates West, informed the Board that the required Fire Marshal review has been submitted, and clarified that the developer will maintain the sewer lines. Mr. Crotty outlined the issues for the proposed approval: payment of the tapping fees, payment of the recreation fee-in-lieu of for 55 units, the PA American Water approval and the bank signature on the financial security agreement. All other conditions have been satisfied.

**On Motion** by Ms. Scull, second by Ms. Johnson, to authorize the signature to the Development Agreement, the Financial Security Agreement and the Stormwater Management Agreement, in the form as provided by the Township Solicitor. Motion passed with Ms. Scull and Ms. Johnson voting aye, and Mr. Nevitt abstaining. Mr. Nevitt's letter of recusal pertaining to matters relating to Grande Construction is on file with the Township office. **On Motion** by Ms. Johnson, second by Ms. Scull, to authorize release of the Green Valley Estates West Phase One Final Plan for recording. , subject to the payment of the tapping fees, payment of the recreation fee-in-lieu of for the 55 units, the PA American Water approval and the bank signature on the financial security agreement. Motion passed with Ms. Johnson and Ms. Scull voting aye, and Mr. Nevitt abstaining. Mr. Nevitt's letter of recusal pertaining to matters relating to Grande Construction is on file with the Township office. Mr. Barnett clarified that the letter from PA American Water will be an agreement for the water line extension.

Ms. Pringle of 3210 State Hill Road told the Board that her neighbor at 3218 has planted bamboo and it is not contained to his property. She presented an article from the Reading Eagle which described the invasive nature of bamboo plantings. She asked the Board to consider passing an ordinance which would limit or prohibit the planting of bamboo. The current ordinance does not mention bamboo. Ms. Scull asked if Ms. Pringle had spoken to her neighbor about this issue; Ms. Pringle said she did, and he told her that he was planting it for privacy, and he liked that bamboo grows so fast. Ms. Scull asked if the current ordinance could be changed; Mr. Crotty said it can be amended to be plant specific. Mr. Kraft said the list of plants, as named in the current ordinance, are generally those that are a nuisance to farmers. Mr. Lutz from the State Representative's office said that he would check with the Agricultural Secretary for more information on bamboo. Mr. Kraft said that local farmers are beginning to experience issues with the starling population who now winter locally by nesting in the bamboo. Mr. Nevitt questioned if Ms. Pringle's neighbor would be subject to the ordinance if it is passed; Mr. Crotty said he would need to check on this.

Jeff Bruckner, 3250 State Hill Road, said that there is a concrete abutment about 80 yards from his house. Spring Township owns the property. Either Spring Township or PennDOT opened the drain, and then closed it again. There have been a lot of heavy rains, and he would like it opened again. Mr. Rhode asked what action Spring Township takes to close the drain; Mr. Bruckner said they shovel dirt into it. Mr. Kraft asked what reason the Township gives for blocking it; Mr. Bruckner said he had no idea. Mr. Rhode will contact Spring Township and then follow up with Mr. Bruckner. Mr. Bruckner offered the use of his driveway for parking of police vehicles for speed enforcement on State Hill Road. Chief Deiterich said he will go out in the coming week to paint the lines on the road.

**Tax Collector's Report**

Tax Collector Sandra Davis turned over \$191,801.64 dollars.

**Treasurer's Report**

Attached to the minutes is the Summary of the Revenues and Expenditures for the month of June 2014. **On Motion** by Ms. Johnson, second by Ms. Scull, to accept the Tax Collector's Report and the Treasurer's Report, subject to audit. The Report from the Tax Collector must be submitted in correct DCED format 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**. Motion passed unanimously.

**Bills List**

**On Motion** by Ms. Johnson, second by Ms. Scull, to accept and approve the list of bills to be paid for July. Motion passed with Ms. Johnson and Ms. Scull voting aye, and 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 78 calls; 11 of those were in Lower Heidelberg Township. There was an average of 7 responders to each call. The Fire Company has purchased a large vehicle for transporting equipment for fire police details and assisting with DUI checkpoints.

**Planning Commission Report**

Mr. Levan, Chairman of the Commission, reported that the Commission reviewed three plans: Green Valley Dental, the Brown Subdivision and Heffner Estates. A 30 day plan extension was approved for Cacoosing Crossing North.

**Building/Zoning Report**

Mr. Kraft reported that the Special Exemption Request for a second dwelling on 190 Evans Hill Road was granted by the Zoning Hearing Board.

**Great Valley Consultants Report**

Mr. Rhode reported on construction observations; Green Valley Estates Phase 11 has been completed, and he anticipates it will be presented to the Township for dedication this fall. The preconstruction meeting for Green Valley Estates West was held last week, and earth moving activity should begin there at the end of this week.

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The 2014 Street Work project has been completed for the most part; they have also completed the Knollwood Drive inlet project. The invoices have not yet been received. The subsidence of the driveway apron at 3324 Harwood Lane has been repaired by Forino Construction; but to date no invoice has been received. Mr. Rhode said that the Township has received a request for a fence permit at 89 Fairwood Drive; the fence will fall within an existing 20 foot wide storm sewer easement. The solicitor should prepare the same type of agreement that the Township has used in the past. A post hole inspection should also be performed by Kraft Codes. There is a swale to the rear of the property, and the resident should be advised to steer clear of that, and it should be outlined in the agreement.

Mr. Nevitt asked about the meeting in mid-July on the Paper Mill Bridge. Mr. Rhode has not heard back from them; he will follow up.

**On Motion** by Ms. Scull, second by Ms. Johnson, to authorize the placement of a fence at 89 Fairwood Drive, to be placed within the Township storm sewer easement, subject to the agreement prepared by the Township Solicitor's office. Motion passed unanimously.

### **Systems Design Engineering Report**

Ms. Stevens reported that the developer of Cacoosing Crossing North is proposing a new lot, which will increase the EDU's from 55 to 56. There is a related action item, to be discussed, which will involve an additional 2 EDU's; the 3 additional EDU's will come from the capacity reserved through Sinking Spring Borough Municipal Authority. The Board must determine if there is sufficient capacity for the 3 EDU's from the current reserved capacity, or if the Township will need to go through the formal process of amending the Intermunicipal Agreement to purchase additional capacity. Does the Township wish to open the agreement at this time for essentially 3 EDU's (1 for Cacoosing Crossing North and 2 for Green Valley Dental) or should the Township wait until Green Valley Estates West Phase Two must come in for their additional 53 EDU's, at which time the Township would purchase the additional capacity. The Township is currently running at half of its reserved capacity at the Sinking Spring Borough plant. The 3 additional EDU's would amount to between 600 and 700 gallons a day. The first approval needed would be for Cacoosing Crossing North for the 56<sup>th</sup> lot, with the understanding that the developer would pay the full tapping fees. This is above the original 110 EDU's, with 55 each being split between Green Valley West and Cacoosing Crossing North.

**On Motion** by Ms. Scull, second by Ms. Johnson, to approve one additional EDU for purchase by the developer of Cacoosing Crossing North, payment of all appropriate tapping fees, and to authorize the Chairperson to initial the Planning Module form for the increased flows for the additional EDU. Motion passed with Ms. Scull and Ms. Johnson voting aye, and Mr. Nevitt abstaining, as previously noted. **On Motion** by Ms. Scull, second by Ms. Johnson, to sell 2 EDU's to Green Valley Dental, and authorize the Chairperson to sign the Planning Module submission, once completed by the sewer engineer. Motion passed unanimously. Ms. Stevens reported that the Knollwood/Faust sewer issue is down to two properties, 14 and 17 Knollwood Drive. It is critical to be able to meet with the homeowners. She needs to be able to meet with them so that she can report to DEP that there are no malfunctions. Any assistance from the Board members with contacting the residents would be greatly appreciated.

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**Recreation Board**

Vice-Chairperson Deborah Scull reported for the Recreation Board. The storage shed has been delivered and installed. She is waiting to hear back from Stereo Barn regarding the meeting room audio visual equipment and to correct the issue with the sound system.

**Chief of Police Report**

Chief Deiterich reported 1375 service hours and 450 total calls for the month of June. The security camera system is being installed.

**Road Foreman Report**

Mr. Boyson reported that pothole patching and tree limb removal was done in June. Weed cutting and brush removal on roads is ongoing this summer. Equipment repairs included the hydraulic cylinder on the Michigan Loader. The sprinkler system certification has been completed. Ms. Scull questioned if Mr. Boyson had any information about a traffic counter mechanism on Erich Street that was there for two days. Mr. Boyson said he had no knowledge of this. Ms. Stevens said she was aware that PennDOT had contracted to have several local roads done in neighboring townships; perhaps it was one of theirs. Mr. Nevitt said there was also one on Laura Court. Ms. Scull questioned why any agency would be counting traffic on cul-de-sacs. Mr. Rhode confirmed that there are no studies currently authorized by the Township. Mr. Nevitt reported that along with the transfer switch, the emergency generator is now installed and fully operational.

**Secretary's Report**

On behalf of Diana Minnich, Ms. Scull asked for authorization to draw down the remaining balance of the Series 12 Bond at Fulton Bank. **On Motion** by Mr. Nevitt, second by Ms. Scull to authorize the Township Treasurer to draw down the remaining balance of the Series B Note of 2012 at Fulton Bank. Motion passed unanimously.

Ms. Scull also asked for authorization to purchase a Datto back-up system for the Administrative computers; there will be no charge for the system itself, just a monthly maintenance fee. The back-up system will be compatible for the planned hardware upgrades. **On Motion** by Ms. Scull, second by Ms. Johnson, to authorize the purchase of a Datto back-up recovery system for the Administrative computers. Motion passed unanimously.

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**Solicitor's Report**

Mr. Crotty reported that the applicant for Cacoosing Crossing North has submitted an MPC extension request. **On Motion** by Ms. Scull, second by Ms. Johnson, to approve the MPC extension for Cacoosing Crossing North, extending the review period to August 19, 2014. Motion passed with Ms. Scull and Ms. Johnson voting aye, and Mr. Nevitt abstaining, as previously noted.

Mr. Crotty reported that the applicant has submitted a waiver request for the Heffner Estates Subdivision; the waiver request was reviewed and recommended by the Planning Commission. **On Motion** by Ms. Johnson, second by Mr. Nevitt, to approve the following waivers for the Heffner Estates Subdivision: SALDO Section 402 (plan scale); Section 652 (curbing, except to the extent that the same is required by PennDOT); Section 653 (sidewalks, noting that the applicant must incorporate a note on the plans to provide for sidewalks in the future if required by the Board); and Section 302 (allowing the plans to be processed as preliminary/final plans). Motion passed unanimously.

Mr. Crotty presented a proposed ordinance, advertised in the Reading Eagle, for a handicap parking space at 318 Pine Street. **On Motion** by Ms. Scull, second by Mr. Nevitt, to approve Ordinance 2014-329 authorizing the handicap parking space at 318 Pine Street in the form as advertised. Motion passed unanimously.

The Board authorized Mr. Crotty to prepare a letter to Mr. Dailey of 522 Erich Street. Mr. Boyson asked if there was any progress on the vacant property at 41 Pacific Ave. Mr. Crotty said he would check into the matter.

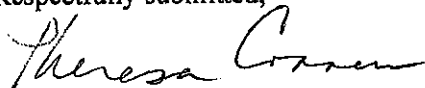
**Open to the Public**

Ms. Scull asked if there were any public comments. There were no public comments.

**Adjournment**

**On Motion** by Ms. Johnson, second by Mr. Nevitt, to adjourn at 8:10 p.m. Motion passed unanimously.

Respectfully submitted,



Theresa Conners, Recording Secretary

Approved: August 18, 2014

JUNE 2014 TREASURER'S STATEMENT					
<b>GENERAL FUND</b>					
Beginning Bal	\$1,405,962.53				\$82,414.36
Revenue	388595.74				1044.36
Expenditures	396515.72				31185.00
P/R Transfers	87700.00				11.22
Interfund Transfers	247695.44				\$52,284.94
Electronic debits	477.42				
Banking Fees	40.40				
Interest	267.53				
Ending Bal	\$1,557,787.70				
<b>STREET LIGHT FUND</b>					
Beginning Bal	\$106,415.03				\$938,789.44
Revenue	1047.00				16087.52
Transfers	7842.42				25052.09
Interest	16.95				90.00
Ending Bal	\$99,636.56				153.92
					\$929,888.79
<b>FIRE PROTECTION</b>					
Beginning Bal	\$192,826.05				\$219,884.99
Revenue	4587.41				4413.20
Transfers	0.00				23816.25
Interest	31.97				36.41
Ending Bal	\$197,445.43				\$200,518.35
<b>AMBULANCE FUND</b>					
Beginning Bal					\$82,414.36
Revenue					1044.36
Transfers					31185.00
Interest					11.22
Ending Bal					\$52,284.94
<b>SEWER FUND</b>					
Beginning Bal					\$938,789.44
Revenue					16087.52
Transfers					25052.09
Bank Fees					90.00
Interest					153.92
Ending Bal					\$929,888.79
<b>TRASH AND RECYCLING FUND</b>					
Beginning Bal					\$219,884.99
Revenue					4413.20
Transfers					23816.25
Interest					36.41
Ending Bal					\$200,518.35

JUNE 2014 TREASURER'S STATEMENT			
<b>FIRE HYDRANT FUND</b>			
Beginning Bal	\$24,456.89		\$7,431.33
Revenue	153.78		0.00
Transfers	1174.07		2752.26
Interest	1.97		0.50
Ending Bal	\$23,438.57		\$4,679.57
<b>RECREATION FUND</b>			
Beginning Bal			\$7,431.33
Revenue			0.00
Transfers			2752.26
Interest			0.50
Ending Bal			\$4,679.57
<b>DEBT SERVICE FUND</b>			
Beginning Bal	\$436,072.90		\$139,297.75
Revenue	4484.91		0.00
Transfers	156230.22		748.03
Interest	59.97		22.87
Ending Bal	\$284,387.56		\$138,572.59
<b>STATE AID FUND</b>			
Beginning Bal			\$139,297.75
Revenue			0.00
Expenditures			748.03
Interest			22.87
Ending Bal			\$138,572.59
<b>FULTON BANK</b>			
Beginning Bal			\$0.00
Revenue			105000.00
Expenditures			0.00
Interest			41.37
Ending Bal			\$105,041.37