

**LOWER HEIDELBERG TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
JUNE 15, 2015**

The Lower Heidelberg Township Board of Supervisors held their regularly scheduled meeting on the above date. Those present were: Vice-Chairman Neal Nevitt, Township Solicitor Andrew Bellwoar, Systems Design Engineering Pamela Stevens, Codes Enforcement Officer Andrew Kraft, Township Engineer Ryan Rhode, Chief W. Thomas Deiterich, Road Foreman Michael Boyson, and other attendees, Secretary/Treasurer Diana L. Minnich. Chairperson Deborah Scull and Acting Emergency Management Coordinator/Fire Commissioner Robert Zerman were absent.

The meeting was called to order by Vice-Chairman Nevitt at 7:07 p.m. The Minutes from the May 18, 2015 Regular Meeting were distributed for review prior to the meeting. The workshop for June was cancelled.

MOTION

Motion was made by Member Cheryl Johnson, seconded by Vice-Chairman Neal Nevitt to approve the minutes of May 18, 2015 regular meeting. The vote was unanimous and the motion carried.

Open to the Public:

A representative from the Community Evangelical Church attended the meeting to seek approval from the Board to have a 5K run on September 26th from 7:00 pm – 9:00 pm 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.

MOTION

Vice-Chair Nevitt motioned authorizing the Secretary to issue a letter in support of the Community Evangelical Church 5K run on Sept 26th from 7:00 pm – 9:00 pm. Motion was seconded by Member Johnson. The vote was unanimous and the motion carried.

Tax Collectors Report:

Sandra Davis will turn over \$39,081.04.

Treasurers Report:

Attached to the minutes is the Summary of the Revenues and Expenditures for the month of May 2015.

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MOTION

A motion was made by Mrs. Johnson, seconded by Mr. 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 15, 2015:

MOTION

A motion was made by Vice-Chairman Neal Nevitt to accept and approve the bills for the month of June to be paid. Member Cheryl Johnson seconded the motion. The vote was unanimous and the motion carried.

Acting Emergency Management Coordinator/Fire Commissioner's Report:

Mrs. Johnson gave the Fire Report for the month of May 2015. The Department responded to 78 calls; average of 8 personnel per incident and 11 of those were in Lower Heidelberg Township with a fire loss of \$550,000.00. The loan for the new ladder truck was submitted and approved. The new Fire Chief starts August 3, 2015.

Planning Commission:

The Planning Commission met on June 8th. Joint Planning Commission met to discuss the Berks County Planning Commission comments regarding the cell towers and pipeline ordinance. The April minutes were approved. They approved one time extension for the Paper Mill Estates.

Building/Zoning Report:

Andrew Kraft reviewed his report.

Kraft Codes addressed ongoing property maintenance issues and one zoning issue. Kraft Codes received complaints regarding the maintenance of the retention basins along Leslie Street in Autumn Ridge Subdivision. After the inspection, a letter was sent to the Homeowner's Association requiring all vegetation that is not part of the approved design be removed. Nothing has been done to the retention ponds for the Autumn Ridge Subdivision. Mr. Kraft requested permission to involve the Township Engineer to help address the overgrowth of the retention ponds.

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At the Madara property along Paper Mill Road, there was a pile of debris in the side yard that was burning, the rear door was broken in and there were lights lit inside. Andrew Kraft spoke with the property owner regarding the Notice of Violation. The owner already secured the rear door and was removing the debris that was burning. A dumpster was placed on site for the cleanup.

Kraft Codes received a call from the PA Liquor Control Board regarding an application to extend the liquor license for the Bar B Q Pit to include the grass areas in the front where the picnic tables and the gazebo are located. The investigator asked if the Township had an opinion or recommendation on the issue. The Board expressed their concern about the safety issues raised by serving liquor in the open area outside which is so close to Route 422. Inebriated or disoriented customers could possibly wander from the parking lot to the highway without management being aware of the situation. One issue regarding occupancy load was limited by their available parking. Based on the occupancy load for the building and square footage, they are required to have 43 parking spaces; they have 44 spaces. After the discussion, the Board determined that Mr. Bellwoar should work with Andrew to prepare a letter to the Liquor Control Board explaining the Board's concerns.

Great Valley Consultants Report:

Township Engineer gave his report.

The following items were addressed:

1. 2015 Street Work: GVC prepared the bidding specifications for the repair work on Sportsman and Wooldtown Roads. Ryan Rhode anticipate having the contractor bids ready for action by the next meeting.

SDE Consulting Report:

Pamela Stevens gave her report.

1. Timberlake Phase 1: SDE advised Schlouch Inc and Walter Greth that the potential dedication of the sanitary sewer system to the Township would require the televising and repairs as required by the review of the video, as-built plans and plans in electronic format, and a walkthrough of the Subdivision to determine if there are any repairs to the manholes that must be addressed. In addition, legal descriptions and exhibits to the bill of sale will also be required along with any other requirements by the Township Solicitor. SDE scheduled a field walk on Tuesday, June 23rd at 9:00 am to inspect the 24 manholes.

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2. Stitzer Meter Area: SDE issued the Notice to Proceed for a start date of June 1, 2015.
3. SEO Activities: The revised manual of the On-Lot Sewage Disposal Systems was adopted during the April 20, 2015 meeting. The Township issued the letter for Sewer Area 1.

MOTION

Motion was made by Vice-Chair Nevitt, seconded by Member Johnson that the Board adopt the Resolution as presented, to affirm the action at the April Board meeting of adopting the On-Lot Sewage Disposal System Policy. The vote was unanimous and the motion carried.

4. Sewage Blockage: The blockage in a sanitary sewer main along Route 422 near the Bar B Q Pit was cleared. Ms. Stevens sent a letter to South Heidelberg Township and Sinking Spring Borough concerning the blockage. Sinking Spring Borough responded outlining the testing that the Borough was going to perform to assess if the sewage from the Townships met their sewer use ordinance for fats, oil and grease. South Heidelberg Township responded with a letter outlining their actions as a result of the SDE letter and the conclusion that there did not appear to be any grease build-up in their lines upstream of the Beacon Road Meter. Once the Borough completes their testing, the results will be shared with the Townships.

Recreation Board:

In the absence of Chair Scull, the Secretary mentioned two upcoming events: the movie night on July 18th and Reading Phillies Night on August 9th. Mrs. Scull received an audio/video proposal from Stereo Barn. The proposal consists of the purchase of an Epson Cinema Projector, wide screen speaker system, accessories and installation of the entire system. The total system price is \$4,800 dollars.

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MOTION

Mr. Nevitt moved to accept the proposal from Stereo Barn in the amount of \$4,800 dollars, authorizing the Chairperson to sign the proposal with the provision that the project is paid out of the Recreation Fund account. The motion was seconded by Mrs. Johnson. The vote was unanimous and the motion carried.

A Township Resident asked how the Township was notifying the residents about the upcoming events. He mentioned that the Township should consider an email blast.

Chief of Police Report:

Chief Deiterich gave the police report. The Police had 363 calls for service during the month of May.

Road Foreman Report:

The road crew installed “Young Lungs at Play No Smoking” signs along Township common areas and walkways. Semi-permanent repairs were done to the Paper Mill Road Bridge. Equipment maintenance/repairs included a fuel pump being replaced on the 1995 Ford dump truck.

Secretary’s Report:

The Township has been receiving many complaints regarding trash and recycling. After the discussion, the Board instructed Mr. Bellwoar to prepare a Notice of Default letter to Kreitzer Sanitation.

Dan Snyder submitted his letter of resignation from the Lower Heidelberg Township Zoning Hearing Board Alternate position.

MOTION

Motion was made by Vice-Chairman Nevitt, seconded by Member Johnson to accept Dan Snyder’s resignation. The vote was unanimous and the motion carried.

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The Township received a quote from Document Systems LTD for a new improved postage meter. This is a Fast Forward Program which allows the Township to leap straight to the end of the current lease and upgrade to new equipment. In addition, the lease cost will be \$65.00 per month. At the present time, the Township pays \$76.73 per month.

MOTION

Neal Nevitt motioned to accept the proposal from Document Systems LTD for the postage meter. Cheryl Johnson seconded the motion. The vote was unanimous and the motion carried.

MOTION

Mr. Nevitt motioned to recess the regular meeting. Motion was seconded by Mrs. Johnson. The vote was unanimous and the motion carried.

The Vice-Chairman opened the public hearing on the Joint Ordinance Amendments that was scheduled for tonight.

MOTION

Member Johnson moved that the hearing be continued until July 20, 2015, and that the Solicitor be directed to advertise any proposed revisions to the draft ordinance per the MPC. Vice-Chairman Nevitt seconded the motion. The vote was unanimous and the motion carried.

Vice-Chairman Nevitt closed the public hearing.

MOTION

Motion was made by Mr. Nevitt, seconded by Mrs. Johnson to reconvene the regular Board meeting. The vote was unanimous and the motion carried.

Solicitor's Report:

1. **Stormwater Management Ordinance:** The PC and GVC worked on a draft stormwater management ordinance to lessen the burden of the proposed revisions on LHT residents, while balancing the need to protect the Township.

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SBM recommends that the draft ordinance be forwarded to DEP and the County for their review.

MOTION

Motion was made by Neal Nevitt, seconded by Cheryl Johnson that the Township forward the draft Stormwater Management Ordinance to the County and Pennsylvania Department of Environmental Protection for their review. The vote was unanimous and the motion carried.

2. Bankcard Associates/Merchant Services/Online Sewer Bill Pay: Eric Brown reviewed the Merchant Services Program Terms and Conditions. There are two issues of concern.

Choice of Law/Forum – Any disputes must be interpreted according to the laws of the State of Illinois. If a dispute arises over a transaction involving a credit card, it will need to be litigated in Illinois.

Visa consumer credit cards are prohibited from being used to satisfy “debt”. However, Bankcard Associates has clarified that they intend the term debt to mean loans and not utility services.

The Board tabled this issue.

3. Expansion of the Child Protective Services Law: As a follow up, SBM prepared a Resolution for the Child Protective Services Law Implementation.

MOTION

Motion was made by Vice-Chairman Nevitt, seconded by Member Johnson that the Township approve Resolution 2015-11, enacting the Township Policies Implementing the requirements of the Child Protective Services Law. The vote was unanimous and the motion carried.

4. Eways – Papermill Estates: The applicant submitted an additional MPC extension request.

MOTION

Member Cheryl Johnson motioned that the Township approve the MPC extension request for the Eways/Paper Mill Estates project, until September 22, 2015. Vice-Chairman Neal Nevitt seconded the motion. The vote was unanimous and the motion carried.

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5. Reese Property: The Board approved the Reese application at its March meeting. However, they owe approximately \$6,900 dollars in outstanding professional consultant fees to the Township. They are requesting that the signed plans be released to be held in escrow until the outstanding fees are paid through the real estate settlement. The Township is awaiting confirmation from SDE regarding the Planning Module approval.

MOTION

On the motion of Mr. Nevitt, seconded by Mrs. Johnson that the Board approve the release of the Reese plans to be held in escrow and released for recording subject to confirmation by SDE of Planning Module approval. The vote was unanimous and the motion carried.

6. Sewer Issues – Fick: SBM is sending a thirty day collection notice to Mr. and Mrs. Fick at 4177 Hill Terrace Drive. SBM recommend that the Board authorize the filing of a lien on the property as well.

MOTION

Mrs. Johnson motioned to authorize the Solicitor to file a lien for unpaid sewer fees on the property located at 4177 Hill Terrace Drive in the event that the bill remains unsatisfied after 30 days. Mr. Nevitt seconded the motion. The vote was unanimous and the motion carried.

Open to the Public:

Vice-Chairman Nevitt asked if there were any public comments. There were none.

There being no further business a motion to adjourn was made by Mr. Nevitt and seconded by Mrs. Johnson. The meeting adjourned at 8:08 pm.

Respectfully Submitted,
Diana Minnich
Secretary/Treasurer