

**LOWER HEIDELBERG TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
JULY 20, 2015**

The Lower Heidelberg Township Board of Supervisors held their regularly scheduled meeting on the above date. Present were Chairperson Deborah Scull, Vice-Chairman Neal Nevitt, Member Cheryl Johnson, Township Solicitor Andrew Bellwoar, Township Engineers Pamela Steven (SDE) and Ryan Rhode (GVC), Code Enforcement Officer Glenn Kraft, Police Chief W. Thomas Deiterich, Road Foreman Michael Boyson and Theresa Conners as Recording Secretary. Absent was Diana Minnich, Township Secretary/Treasurer. The meeting was called to order by Chairperson Scull at 7:02 p.m. Ms. Scull led the Pledge of Allegiance, followed by a moment of silence.

The Minutes from the June 15, 2015 Regular Meeting and the July 14, 2015 Workshop Meeting were distributed for review prior to the meeting. Ms. Scull noted that the minutes will be revised for corrections and will be reviewed for approval at the next regularly scheduled meeting.

Open to the Public

Ms. Scull asked if there was any public comment. There was none.

Tax Collector's Report

Sandra Davis will turn over \$186,148.20 dollars.

On Motion by Ms. Johnson, second by Ms. Scull, to accept the Tax Collector's Report; 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.

Bill List July 20, 2015

Ms. Conners suggested that this item be tabled till later in the meeting, as the Board had just received the bill list prior to the meeting, and this is the first bill list generated using the new software system.

Acting Emergency Management Coordinator/Fire Commissioner's Report

Robert Zerman presented the June Fire Commissioner's Report. He noted that for the month of June there were 66 incidents, 10 of which were in Lower Heidelberg Township, with an average turnout of 8 per call. The final review has been done for the new ladder truck, and delivery is expected sometime in January or February of 2016. The new Commissioner is scheduled to start on August 3rd.

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Greg Deiterich, resident and former Chief of the Lower Heidelberg Township Fire Department, asked to approach the Board to comment on recent fires in the Township. Mr. Deiterich commented that during the recent house fire on State Hill Road, the crew did not immediately use the hydrant, but instead chose to use the tanker truck, which ran out of water. Lower Heidelberg Township is contributing \$300,000 dollars a year for fire protection and not getting sufficient protection. The new ladder truck is essentially the same as the old one, except for the chassis. The by-laws for the fire company were changed. Ms. Johnson commented that the by-laws were changed and there was no mention of this in the minutes for the meeting. Mr. Deiterich said he has observed a driver backing up the ladder truck, and he did not seem to know what he was doing; he is concerned as the new ladder truck will need an experienced CDL driver. Ms. Johnson said she had previously commented that the purchase of the ladder truck should wait till the new commissioner started and was told that the prices would be going up and the department did not want to wait. Mr. Zerman said the price of the ladder truck would have gone up by 8%.

Mr. Deiterich said he is frustrated that rather than the elected officials from each municipality controlling the fire company, it is being controlled by a handful of individuals. Mr. Zerman said that he understood Mr. Deiterich's frustration, and asked that everyone wait and let the new commissioner settle in to his new position. Ms. Johnson noted it would be beneficial if the new commissioner would agree to meet with the four municipalities without the fire fighters being present; Mr. Zerman said it was his understanding that such a meeting will be taking place.

Planning Commission

Mr. Nevitt reported that there was no Planning Commission meeting held in July.

Building/Zoning Report

Mr. Kraft reported that there were 23 permits issued with a total construction value of \$1,035,980 dollars. His office dealt with three property maintenance issues and one zoning issues. The issues arising from 41 Pacific Ave will now be coming to a close as the property is now owned by Bank of America and they will be maintaining the property. The Madera property on Paper Mill Road has now been cleaned up. His office received an application for a Variance and Special Exception for a shed at 542 Erich Street; that hearing is scheduled for Tuesday, August 4th at 7:00 p.m. at the Township Building.

Great Valley Consultants Report

Mr. Rhode presented several Escrow Release requests for the Board's review.

On Motion by Mr. Nevitt, second by Ms. Johnson, to approve Escrow Release No. 14 for the Legacy at Papermill in the amount of \$221,818.20; motion passed unanimously.

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On Motion by Ms. Johnson, second by Ms. Scull, to approve Escrow Release No. 5 for Timberlake Phase 2 in the amount of \$21,139.53; motion passed with Ms. Johnson and Ms. Scull both voting yes, and Mr. Nevitt abstaining.

On Motion by Ms. Scull, second by Ms. Johnson, to approve Escrow Release No. 6 for Green Valley Estates West Phase 1 in the amount of \$21,320.08; motion passed with Ms. Scull and Ms. Johnson both voting yes, and Mr. Nevitt abstaining.

On Motion by Ms. Johnson, second by Mr. Nevitt, to approve the close out of the escrow being held for the McGlenn Subdivision in the amount of \$20,359.40, conditioned on the payment of any outstanding consultant fees prior to the release of the check. Motion passed unanimously.

Mr. Rhode provided an update to the discussion of barricades on the Gaul Road Bridge to keep traffic off of the fascia beams. He gave the Board literature for work zone temporary barriers; Zone Guard is the brand recommended by Mackin Engineering, bridge consultants, and Quick Kurb is an alternate to Zone Guard. When he has received pricing on both of these alternatives, he will forward it to the Township. Mr. Nevitt reminded Mr. Rhode of the deadline approaching for the project. Mr. Rhode said his understanding is that the installation of the Zone Guard is more labor intensive than the Quick Curb.

The GP-11 permit was resubmitted for the Gaul Road culvert, and Mr. Rhode is currently awaiting DEP review.

The 2015 Street Work bid was advertised, and only two contractors picked up bid packages. Bids were opened on July 14th, but only one bid was received. The sole bidder was New Enterprise Stone and Lime, doing business as Burkholder Paving. The bid amount was \$297,895.32 which is substantially higher than what was expected. Mr. Rhode recommended that the Township reject the sole bid. Mr. Nevitt expressed concern about delaying the project because of the deterioration of Sportsman and Wooltown Road. Mr. Rhode noted that, based on conversations with several paving contractors, there is a possibility that if the Township puts the project to bid again after October 31st, the price may come down. **On Motion** by Mr. Nevitt, second by Ms. Scull, to reject the 2015 Street Road bid from Burkholder Paving in the amount of \$297,895.32. Motion passed unanimously. Mr. Rhode will send the letter to Burkholder rejecting their bid.

Mr. Rhode has been in touch with the attorney for the Autumn Ridge Homeowners' Association regarding the ongoing weed complaints. The HOA has asked what the Township's expectations are in regard to regular maintenance as they will be rebidding the mowing and grounds maintenance contract. Mr. Rhode will keep the Township updated as the discussions move forward.

Systems Design Engineering Report

Ms. Stevens reported that a change order is in process for the Stitzer Meter Area, once video of the pipe and laterals is completed for the Erich Street area due to current conditions photographed by the Road Foreman. SDE also had Video Pipe Services perform root cutting down North Church Road. This root cutting will also be part of the change order.

As a result of the Township issuing letters to Sewer District Area One homeowners, the Township office has received numerous phone calls from residents who have voiced their concerns. Some have voice objections about having to dig up their yards for access to the baffles; Ms. Stevens explained how the inspection of the baffles can sometime result in the homeowner having to dig up the area, but it is usually a relatively small area. Homeowners who have baffles located underground should be advised to have a riser installed so that the baffles are at grade. There have also been some complaints about the fee being charged; staff has asked for some guidance on how to respond to the calls. Mr. Nevitt stressed that the fee has been lowered, and the Township is trying to make it easier for the residents to comply with the DEP regulations. Ms. Stevens suggested that the SEO could meet with staff and Mr. Nevitt to go over any compliance issues.

Ms. Stevens reported that the Beacon Road Meter is fluctuating in flow and there is concern that a blockage is beginning again. She questioned how regularly the Bar-B-Q Pit is having the grease pit pumped out; Ms. Scull said she believes it is done every quarter. She will call the owner to ask him to submit the most recent report. Mr. Nevitt asked if it can be tested at the site; Ms. Stevens said yes, the sample can be taken at the nearest manhole. Ms. Stevens requested authorization for SDE to perform testing at the site. She will also need the latest pumping receipts for the restaurant.

Recreation Board Report

Ms. Scull reported that the Recreation Board held their "Dinner and a Movie" night on July 18th. A picnic dinner was served and those attending enjoyed the movie "The Dog Who Saved Summer" on the new state of the art projection system. Lower Heidelberg Township Night at the Reading Phils will be held on Sunday, August 9th; there are only 7 tickets left. The next movie night will be in November and will be a Ladies Night Out with BYOB allowed. The Christmas event with Santa will be held on Saturday, December 12th. This year there will be a giant snow globe set up for the picture taking, and instead of a full meal, the Recreation Board will provide hot chocolate and cookies. The Recreation Board is currently setting up a Facebook page in order to keep the public informed about upcoming events. The site should be up and running in about two weeks.

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Police Report

Chief Deiterich reported that there were 1,531 service hours in June, with 481 service calls and 10 motor vehicle accidents. The Chief praised Detective Chris Stouch for the many long hours he worked on the recent incident at the Bar-B-Q Pit; even forgoing vacation time with his family to work on the case. The Chief noted that the hours that Detective Stouch works with investigating child predators is paid for by the District Attorney's Office, and does not come out of the regular police budget.

Road Foreman's Report

Mr. Boyson reported that there were 13 roads worked on in June for potholes, signs and tree removal; crack sealing was performed throughout several developments and multiple roads in the Township. Weed mowing was performed along the road shoulders. The transmission plate at the Paper Mill Road Bridge was re-welded and anchoring cement was applied underneath in an effort to hold it in place until possible repairs can be done. 41 Pacific Avenue was cut, and hopefully that will be the last time as Kraft has reported that the property has been taken over. The generator was serviced and a load test was done for the building.

Secretary's Report

Ms. Conners reported that Ms. Minnich spoke with both PennDOT and PPL regarding the trees on Chris Dailey's property at 522 Erich Street. The PennDOT representative will need to obtain permission from his supervisor, and they will only cut the tree limbs as they line up with the right of way line. PPL indicated that the only trimming they will do is where the tree branches meet the wires. Ms. Scull said the developer planted the trees, and Mr. Crotty told her he thought there was an easement on the plans. Mr. Bellwoar noted that if that is the case, Mr. Daily will need to obtain permission from the Township if he wants to cut the trees down. Mr. Bellwoar will get further details from Mr. Crotty.

Ms. Conners reported that Ms. Minnich has received a request from the owners of 224 Steely Road to release the balance of the escrow being held for a septic system replacement; the owners indicated that they will not be moving forward with the work at this time. **On Motion** by Mr. Nevitt, second by Ms. Scull, to release the remaining escrow balance of \$293.04 for the septic system replacement at 224 Steely Road conditioned upon confirmation from the SEO that the project has been finalized, and that there are no further inspections required, and that the permit has been issued. Motion passed unanimously.

Ms. Conners reported that the Township has received a request from Spring Township that Lower Heidelberg Township subsidize a portion of the salary of the police officer at the high school.

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Ms. Johnson noted that she attended the meeting mentioned in the letter; the Board had been told that there would be a meeting of all the municipalities involved to further discuss this issue, but the meeting was never held. The Board heard nothing further until the School District sent the letter requesting the salary subsidy. She said that she feels that the taxpayers of Lower Heidelberg already pay school taxes to support the school budget, and it would be unfair to add this cost to their township tax bill.

Mr. Nevitt noted that the Township's share would amount to \$6,712 dollars; if the School District feels they need to have this officer, then they should provide for the salary in the School District budget. **On Motion** by Ms. Scull, second by Ms. Johnson, that the Township not contribute to the salary of the officer at Wilson High School. Motion passed unanimously.

Bill List

The Board reviewed the Bill List presented earlier in the meeting; **On Motion** by Ms. Scull; second by Ms. Johnson, to approve the bill list as presented. Motion passed with Ms. Scull and Ms. Johnson voting yes, and Mr. Nevitt voting yes, but abstaining from approval of any bills pertaining to Grande Construction and disapproving any invoices from Logics.

Solicitor's Report

Mr. Bellwoar reported that South Heidelberg Township has proposed two additional substantive revisions to the Joint Zoning Ordinance Amendment. Language is being prepared for the two amendments, and they will be discussed at the Township Planning Commission and the Regional Planning Commission meetings to be held in August. The Township is waiting for feedback from both the County and DEP on the draft Stormwater Management Ordinance.

Mr. Bellwoar noted that there have been some changes to the Child Protective Services Law; the changes do not substantially affect the Resolution passed by the Township, but do make the process a bit easier for the volunteers. The Township Building use/rental policy has been revised for the Board's consideration. Mr. Bellwoar requested that the Township should advise the Solicitor's office if they would like representation at the upcoming Zoning Hearing Board for Mr. Elia of 542 Erich Street.

Mr. Bellwoar reported that the applicant for Cacoosing Crossing North has submitted Financial Security and Development Agreements, along with the Grinder Pump and Stormwater Maintenance and Monitoring Agreements. Ms. Stevens is awaiting the legal descriptions for the Sanitary Sewer System Easements. Ms. Stevens and Mr. Rhode should both be kept informed as to the progress of recording of the plan as this will affect the start of the sanitary sewer installation.

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Mr. Bellwoar met with Glen Gery and has received an extension request for Glen Ridge Estates. An Addendum to the Financial Security Agreement for Green Valley Estates Phase 11 has been prepared and requires approval from the Board. **On Motion** by Ms. Johnson, second by Ms. Scull, to approve the Addendum to Financial Security Agreement for Green Valley Estates Phase 11 as presented. Motion passed with Ms. Johnson and Ms. Scull voting yes, and Mr. Nevitt abstaining.

Mr. Bellwoar said that Eric Brown is working on the bid for trash and recycling services. In the meantime, his office will close out the current contract without invoking the option year for the contract. The contract will end on December 31, 2015. A draft of the trash bid will be provided shortly.

Mr. Bellwoar reported the receipt of the PennDOT Winter Municipal Agreement. This contract would run for five years starting with the winter of 2015-2016 and ending with the winter of 2019-2020. Mr. Nevitt noted that the PennDOT reimbursement barely covers the cost of salt for the winter; but this must be weighed against the convenience and safety of our residents. Mr. Nevitt asked Mr. Boyson to review the contract before the Board signs it. Mr. Kraft mentioned that Richmond Township decided not to go with the PennDOT agreement, and they did not fare well; their roads were plowed by sub-contractors of PennDOT.

Mr. Bellwoar presented a storm sewer easement agreement for the Board's approval for a fence installation at 4162 Hill Terrace Drive. **On Motion** by Mr. Nevitt, second by Ms. Johnson, to approve the storm sewer easement agreement for a fence to be installed at 4162 Hill Terrace Drive, Sinking Spring. Motion passed unanimously.

Mr. Bellwoar announced that the Board would adjourn the regular meeting and go into Executive Session for a personnel issue, and there would be no reason to reconvene the regular meeting.

Public Comment

Ms. Scull asked if there was any further public comment. Chief Deiterich asked Mr. Bellwoar where the Township stands with the liquor license application for the Bar-B-Q Pit. Mr. Bellwoar said his office submitted a Right-To-Know request to the PALCB to examine the application, and he is drafting a letter from the Township in response to the application. He has spoken to the inspector to let him know the Township is opposed to the application, but he will follow up with something more formal. Resident Tex Essig commented on the excessive air conditioning and the lack of comfortable seating for the audience members. Ms. Scull said she could provide more comfortable seating if needed.

Adjournment

On Motion by Mr. Nevitt, second by Ms. Johnson, to adjourn the meeting at 8:30 p.m. Motion passed unanimously.

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Respectfully submitted,

A handwritten signature in cursive script that reads "Theresa Conners".

Theresa Conners, Recording Secretary

Approved: August 17, 2015