

**LOWER HEIDELBERG TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
NOVEMBER 16, 2015**

(The Board of Supervisors held a duly advertised Conditional Use Hearing prior to the regular board meeting. The Conditional Use Hearing ran from 6:30 p.m. until 7:15 p.m., after which the regular meeting was called to order.)

The Lower Heidelberg Township Board of Supervisors held their regularly scheduled meeting at the Township Building, 720 Brownsville Road, on the above date. Present were Chairwoman 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 Secretary/Treasurer Theresa Conners.

The meeting was called to order by Chairwoman Scull at 7:22 p.m. Ms. Scull led the pledge to the flag and requested a moment of silence for the people of France.

The minutes from the October 19, 2015 Regular Meeting and the November 10, 2015 Work Session were distributed for review prior to the meeting. **On Motion** by Ms. Johnson, seconded by Mr. Nevitt, to approve the minutes of October 19, 2015 and November 10, 2015 as presented. Motion passed unanimously.

Open to the Public

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

Tax Collector's Report

Ms. Conners reported that Sandra Davis called to say that she would be turning over \$5,281.51 dollars once she received her new checks, which were delayed from the bank.

Treasurer's Report

Ms. Conners presented the Treasurer's Report for the months of September and October. **On Motion** by Mr. Nevitt, seconded by Ms. Scull, to accept the Treasurer's Reports for September and October. Motion passed unanimously.

Approval of Bills

On Motion by Ms. Scull, seconded by Mr. Nevitt, to approve the bill list as presented. Motion passed unanimously.

Subdivision and Land Development

Green Valley Estates West Phase 2 – Kirk Barnett and Fred Reigel were present for the applicant. Mr. Reigel requested that the Board sign the Financial Security, the Developer's Agreement and the Stormwater Maintenance Agreement which Mr. Grande has signed and presented for signatures.

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Mr. Reigel reported that the Borough of Sinking Spring has not granted the additional capacity needed for Phase 2 of the project. In addition, the Borough has held the applicant's planning module, claiming that there is a capacity issue. The Borough's position is that the Township must decide how the capacity already purchased should be allocated. Mr. Barnett said the applicant is proposing a moratorium on section two of Cacoosing Crossing North, with 25 EDU's from that project to be transferred for use at Green Valley Estates West. Mr. Bellwoar said that this type of agreement could be formalized in a letter of understanding between the parties. **On Motion** by Ms. Johnson, seconded by Ms. Scull, to authorize the Township Solicitor to draft a letter regarding the Township's position on transferring 25 EDU's from Cacoosing Crossing North to Green Valley Estates West. Motion passed with Ms. Scull and Ms. Johnson voting yes, and Mr. Nevitt abstaining.

Mr. Barnett noted that there is an Escrow Release for Cacoosing Crossing Phase 1 slated for approval later on the agenda, and requested the Board's consideration of the request. Mr. Rhode presented Escrow Release No. 3 for Cacoosing Crossing North Phase 1 in the amount of \$182,071.20 dollars. **On Motion** by Ms. Scull, seconded by Ms. Johnson, to approve Escrow Release No. 3 for Cacoosing Crossing North Phase 1 in the amount of \$182,071.20; motion passed with Ms. Scull and Ms. Johnson voting yes, and Mr. Nevitt abstaining.

Emergency Management Coordinator/Fire Commissioner's Report

Jared Renshaw presented the October Fire Commissioner's Report. He noted that there were 85 calls, 14 of which were in Lower Heidelberg Township, with an average turnout of 7 persons per incident. There was a house fire on November 5th at 37 Sweetwater Way; no firefighters were injured, but one occupant of the home was slightly injured. The proposed budget has been completed and was approved by the finance committee. There is no proposed increase in millage for any of the four municipalities. Mr. Renshaw noted that he is now using the concise monthly report; he would be happy to add any other information that the Board would like to see.

Planning Commission

Michael Levan, Chairman of the Planning Commission, reported that the Commission met on November 9th; there were no development plans or time extensions to consider. The review of the Storm Water Ordinance update has been completed. The Commission reviewed the Conditional Use application for 6841 Penn Avenue for Veteran's Auto Sales; they recommend approval of the application subject to compliance of the issues raised in the review letter from Kraft Code Services. There will be no workshop meetings for the Planning Commission in November or December.

Building/Zoning Report

Mr. Kraft reported that there were 24 permits issued in October for a total construction value of \$1,152,774.05 dollars. The property issue concerning the sight distance on Justa Road has been rectified. Mr. Kraft reviewed the Conditional Use application for 6841 Penn Avenue for Veteran's Auto Sales; the hearing was held earlier tonight before the Board of Supervisors.

Great Valley Consultants Report

Mr. Rhode reported that his office has received several proposals for the Gaul Road Culvert Replacement Project. The low bidder is Construction Masters Services in the amount of \$19,190.00 dollars. **On Motion** by Mr. Nevitt, seconded by Ms. Johnson, to approve the award of the contract for the Gaul Road Culvert Replacement to Construction Masters Services in the amount of \$19,190.00 dollars. Motion passed unanimously.

Mr. Rhode presented the first and final payment application for the 2015 Street Work for the Sportsman Road repair. As some of the items in the contract were not utilized, Mr. Rhode prepared Change Order No. 1 with the new lower contract amount of \$79,318.85 dollars. **On Motion** by Mr. Nevitt, seconded by Ms. Scull, to approve Change Order No. 1 from Landis Deck for the 2015 Street Work in the amount of \$79,318.85 dollars. Motion passed unanimously. **On Motion** by Mr. Nevitt, seconded by Ms. Johnson, to approve Payment Application No. 1 and the final payment for the 2015 Street Work in the amount of \$79,318.85 dollars. Motion passed unanimously.

Mr. Rhode reported that the 2015 Line Painting Project is completed and the invoice from the contractor has been reviewed; the price is under the \$10,000 limit authorized by the Board. **On Motion** by Ms. Scull, seconded by Ms. Johnson, to approve payment of the invoice from Berks Traffic for the 2015 Line Painting in the amount of \$9,577.60 dollars. Motion passed unanimously.

Systems Design Engineering Report

Ms. Stevens said she did not have anything to add to her report, as her items were covered in the earlier discussion. Her office will contact Mr. Nevitt to set up a meeting to update the status of the Faust and Knollwood area.

Recreation Board Report

Ms. Scull reported that the Recreation Board continues to plan for the Santa Party on December 12th; there will be crafts for the kids and homemade Christmas cookies. Each family will have the opportunity to have their picture taken inside a giant snow globe which will be set up in the meeting room. Reservations should be made for the picture taking session to insure that there will be time for everyone who wants a picture. A meeting was held on November 2nd to begin the formation of an ad hoc committee for the planning of the proposed dog park; twelve volunteers attended.

Police Report

Chief Deiterich reported that there were 1,456 service hours in October, with 267 service calls; of those, 11 were criminal offenses and 5 were motor vehicle accidents. Two bids have been received for the 2009 Ford Explorer.

Road Foreman's Report

Mr. Boyson reported that October activity included pot hole patching, tree limb removal and replacement and repair of street signs. Weed mowing along the shoulders continues and leaf collection has begun. Six vehicles were serviced for maintenance and repairs.

Secretary's Report

Ms. Conners noted that the Township has now instituted a credit card acceptance policy using Muncipay. Payments can be made on line for sewer payments and also at the Township office for sewer bills and other Township fees and permits. There is no charge to the Township for the processing; fees are charged to the user. The processing fee is .0245 percent of the transaction, with a minimum fee of \$3.00 dollars per credit card transaction. When paying on-line, residents may also pay by check, with a flat rate transaction fee of \$1.50 dollars. The system has been operational for one week, and there have been 8 transactions for a total received by the Township of \$1,100 dollars.

Ms. Conners noted that the recent Community Shredding Event was held on October 24th. Twenty three Lower Heidelberg residents participated. Total collection for the event was 10,240 pounds of paper.

Solicitor's Report

Mr. Bellwoar reported that the draft Stormwater Management Ordinance is ready for the Board's consideration. **On Motion** by Ms. Johnson, seconded by Mr. Nevitt, to authorize the Solicitor to advertise the Township Stormwater Management Ordinance for consideration at the Township meeting on December 21, 2015 at 7:00 p.m. Motion passed unanimously.

Mr. Bellwoar reminded the Board that the Proposed 2016 Budget must be adopted by December 31st. Mr. Nevitt noted that the Draft Budget has been prepared; the tax millage will remain the same. The trash rate will increase by \$10.00 dollars per year and the street light rate will increase by \$5.00 dollars per year. **On Motion** by Mr. Nevitt, seconded by Ms. Scull, to authorize the Solicitor to advertise the notice of the availability of the Township's 2016 Budget. Motion passed unanimously.

Mr. Bellwoar noted the requirement for the 2016 Organizational Meeting, the annual notice required for the Auditors' meeting and the Board's intention to appoint an independent CPA to perform the 2015 audit.

On Motion by Ms. Scull, seconded by Mr. Nevitt, to authorize the solicitor to advertise the organizational meeting for January 4, 2016 at 7:00 p.m.; the Township auditor's organizational meeting for January 5, 2016 at 10:00 a.m.; and the intent to appoint an independent CPA to perform the 2015 audit. Motion passed unanimously.

Old Business

Mr. Bellwoar reported that the 2015 Trash Bid documents have been reviewed; the Township should award the contract to the lowest responsible bidder. **On Motion** by Mr. Nevitt, seconded by Ms. Johnson, to award the Collection, Transportation and Disposal of Municipal Solid Waste, Recyclable Materials and Yard Waste Contract to Waste Management for the years 2016 through 2018, with a Township option for the year 2019, in the amount of \$1,333,680.37 dollars, subject to the satisfaction of all precedent to the award of the contract identified in the bid specifications to the satisfaction of the Township and the Township Solicitor. Motion passed unanimously.

Mr. Bellwoar noted that in light of John Masciotti's guilty plea to the crime of failure to make required disposition of funds, a third degree felony, the plea triggers the automatic forfeiture of Mr. Masciotti's right to a pension pursuant to the Pension Forfeiture Act. **On Motion** by Ms. Johnson, seconded by Ms. Scull, that John Masciotti be removed from the Township's Police Pension Plan in accordance with the Pension Forfeiture Act effective immediately, and that the Chief Administrative Officer of the Police Pension Plan be authorized to provide appropriate notice to Mr. Masciotti in form and substance acceptable to the Township Solicitor. Motion passed unanimously.

New Business

The two bids received on the 2009 Ford Explorer were opened. The bids were as follows:

Youseef Dagabh \$2,168.00 dollars
Ron & Jill Tobias \$2,301.00 dollars

On Motion by Ms. Scull, seconded by Mr. Nevitt, to award the bid for the sale of the 2009 Ford Explorer to Ron and Jill Tobias in the amount of \$2,301.00 dollars. Motion passed unanimously.

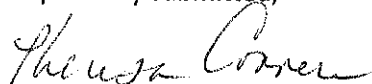
Public Comment

Ms. Scull asked if there was any public comment. Tex Essig reminisced about his days on the Board and the year end meeting. Frank Gabell asked if the Board had any information about the resident arrested for theft of services. Ms. Scull said the Board was not familiar with the case.

Adjournment

On Motion by Ms. Scull, seconded by Mr. Nevitt, to adjourn at 8:15 p.m. Motion passed unanimously.

Respectfully submitted,



Theresa Conners, Township Secretary/Treasurer

Approved: December 21, 2015