

**LOWER HEIDELBERG TOWNSHIP BOARD OF SUPERVISORS**  
**REGULAR MEETING MINUTES**  
**MAY 16, 2016**

The Lower Heidelberg Township Board of Supervisors held their monthly meeting at the Township Building, 720 Brownsville Road, on the above date. Present were Chairwoman Deborah Scull, Vice-Chairwoman Cheryl Johnson, Member Michael Keltz, Township Solicitor Andrew Bellwoar, Township Engineer Pamela Steven (SDE), Code Enforcement Officer Glenn Kraft, Road Foreman Matthew Clay, Detective Christopher Stouch and Secretary/Treasurer Theresa Conners. Absent were Police Chief W. Thomas Deiterich and Engineer Ryan Rhode (GVC).

The meeting was called to order by Chairwoman Scull at 7:02 p.m. Ms. Scull led the pledge to the flag.

The minutes from the March 21, 2016 Regular Meeting, the April 18, 2016 Regular Meeting and the May 10, 2016 Work Session Meeting were distributed for review prior to the meeting. On Motion by Ms. Scull, seconded by Mr. Keltz, to approve the minutes of the March 21, 2016 meeting. Motion passed unanimously. On Motion by Ms. Johnson, seconded by Mr. Keltz, to approve the minutes of the April 18, 2016 meeting. Motion passed unanimously. On Motion by Mr. Keltz, seconded by Ms. Scull, to approve the minutes of the May 10, 2016 meeting. Motion passed unanimously.

**Open to the Public**

Ms. Scull asked if there was any public comment. Bonnie Page, Western Berks Ambulance, reported that they have answered 126 calls for the first four months of 2016; this is a 50% increase over the same time period last year. She expects to be able to present the semi-annual financial report to the Township at the July Board of Supervisors meeting.

William Rappley of 338 Saddlebrook Drive addressed the Board about the condition of his driveway apron. He presented photos of the apron, and explained that it seems to be deteriorating; the adjacent homes do not have the same condition. He attributes this to the storm drain installed in the street at his driveway. Ms. Scull will have Mr. Clay and Mr. Rhode take a look at it.

Lorraine Kratz of Wagner Road asked can the public expect improvements to be made to Wagner Road. Ms. Scull said that the Township has met with Glen Gery to try and move the development plans along; once the developer starts work, the Township will have a better idea of which road, Wagner or Sweitzer, the developer will be using for their construction vehicles, and then the Township can begin to move forward with the planning of the needed road improvements. Mr. Clay noted that EJ Brenneman obtained core samples of the roads, and is scheduled to deliver the test results on May 17<sup>th</sup>; at that time the Township will be better able to determine if the road needs to be taken completely out or can be repaired.

**Tax Collector's Report**

Ms. Conners reported that Tax Collector Sandra Davis turned over \$1,725,069.63 dollars for the month of April and collected 1,599 bills.

**Treasurer's Report**

Ms. Conners presented a revised February Treasurer's report; the original report contained two typographic errors. The March Treasurer's Report was presented for the Board's review.

**Approval of Bills**

**On Motion** by Ms. Johnson, seconded by Mr. Keltz to approve the Tax Collector's report, the Treasurer's report and the bill list as presented. Motion passed unanimously.

**Subdivision and Land Development**

**Green Valley Estates West Phase 2 Escrow Release** - Due to the absence of Mr. Rhode, Ms. Stevens presented Escrow Release No. 2 for Green Valley Estates West Phase 2 from Grande Construction. **On Motion** by Mr. Keltz, seconded by Ms. Johnson, to approve Escrow Release No. 2 for Green Valley Estates West Phase 2 in the amount of \$191,308.49 dollars. Motion passed unanimously.

**Leibman Subdivision** - Mr. Bellwoar explained that the applicant proposes to subdivide the 8.4 acre property near the intersection of State Hill Road and Sweitzer Road. The plans were reviewed by the Planning Commission members who have recommended approval of four waiver requests submitted by the applicant. The applicant will be submitting additional plan information for the June Planning meeting. **On Motion** by Ms. Scull, seconded by Ms. Johnson, to approve the waiver requests for the Leibman subdivision plan application from Township Subdivision and Land Development Ordinance (SALDO) Sections 302 (preliminary plan submission requirement), Section 652 (curbs), Section 653 (sidewalks) and Section 658 (monument placement). Motion passed unanimously.

**Seip Annexation** – Mr. Bellwoar reported that the PC recommended approval for the Seip Annexation, which is a lot line adjustment plan. No further subdivision is proposed. The Planning Commission plan approval also included recommendation for approval of several waivers, which are included in the written decision. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to approve the Seip lot line change application and the waiver requests from SALDO Sections 652 curbs, Section 653 (sidewalks) and Section 406 (plan scale), in the form of the approval as presented by the Township Solicitor. Motion passed unanimously.

**Papermill Estates** – Mr. Bellwoar presented a time extension request for the Papermill Estates project. The Planning Commission has recommended approval of the extension from June 22, 2016 to September 22, 2016. **On Motion** by Ms. Johnson, seconded by Ms. Scull, to approve the MPC review period for the Papermill Estates project to September 22, 2016. Motion passed unanimously.

**Emergency Management Coordinator/Fire Commissioner's Report**

Ms. Johnson read the monthly report on behalf of Mr. Renshaw who was absent due to a training session. There were 60 total calls in April; 12 of those were in Lower Heidelberg, with an average turnout of 9 responders per call. Ms. Johnson noted that the fire company will be installing a key fob access system to improve security at their facility.

**Planning Commission**

Mr. Levan reported on the Planning Commission meeting held May 9<sup>th</sup>. The Commission reviewed three plan sets. The Seip Annexation was recommended for approval. The Leibman Subdivision was reviewed and the waiver requests were approved. The third plan, the Alpha Property Sketch plan, shows 28 duplex units to be located on Gaul Road across from Green Valley West. Mr. Levan expressed his concern about the amount of trees cleared from the property. Mr. Kraft noted that he had previously determined that there were woodlands, as defined by the Zoning Ordinance, on the property. Subsequently, the property owner cleared the property in spite of the fact that the designated woodlands were to be protected. Mr. Levan asked if the Planning Commission can require a higher percentage of green space because of this clearing; Mr. Bellwoar noted that if there was a violation of the ordinance, the Solicitor and the Codes Department will look at enforcing the ordinance. Mr. Levan also reported that the Commission recommended approval of the Papermill Estates time extension request. The next Planning Commission workshop is scheduled for May 25<sup>th</sup> at 7:00 p.m.

**Building/Zoning Report**

Mr. Kraft reported that 13 permits were issued in April for a total construction value of \$764,484 dollars. Their office handled six property maintenance issues, two new and four ongoing; three of the four are now resolved.

**Great Valley Consultants Report**

Mr. Rhode was absent; Mr. Bellwoar will discuss the 2017 Seasonal Requirements during his report.

**Systems Design Engineering Report**

Ms. Stevens reported that the Gaul Road townhome sketch plan has a "will serve" letter from Sinking Spring conditioned upon the amendment of the Inter-municipal Agreement and payment of the capacity fee. Unfortunately, neither condition was met, therefore the "will serve" letter is not valid. She will correspond with the applicant to inform him that capacity is not available for this project. Sinking Spring Borough did not copy either the Township or the applicant on the "will serve" letter. The applicant's engineer and SDE were the only ones copied on the letter. If the applicant's engineer did not forward the letter to the applicant and he then did not respond in a timely manner to have the Inter-municipal Agreement amended and to pay the required fees, the letter then becomes invalid as it was not acted upon in a timely manner.

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Ms. Stevens noted that Mr. Bellwoar is working on the Sinking Spring Borough agreement with regard to the surcharge for the solids from industrial users. The Borough is willing to meet, and the surcharge will be discussed. Ms. Scull asked if there are other sources for the solids; Ms. Stevens said they can come from residential water softeners, restaurants and mini marts. These other sources are not industrial users, but residential or commercial. Users like Sheetz or Viva do not meet the definition of industrial users.

The Requests for Proposals for the Erich Street lateral repairs have been reviewed by SDE. There are three viable proposals, but only one is under the bid limit of \$19,400 dollars. As there was a wide range between the lowest proposal and the two higher ones, Ms. Stevens will meet with the contractor to go over the proposal and make sure the pricing is still good. **On Motion** by Ms. Johnson, seconded by Mr. Keltz, to approve the awarding of the Erich Street Lateral Repair Project to Wexcon, conditioned upon the terms of the proposal as set forth by Systems Design Engineering. Motion passed unanimously.

**Recreation Board Report**

Ms. Scull reported that the Dog Park fence installation should start next week. The Township is looking into installing a key fob system, but it will be expensive, so more research needs to be done. The Rec Board and the Supervisors will be participating in the Wernersville Memorial Day Parade. The Rec Board will be on the float, which will feature all the activities planned for the coming year.

**Police Report**

Detective Christopher Stouch gave the monthly report in the absence of Chief Deiterich. There were 359 incidents in the month of April; of those, 17 were criminal and 7 were vehicle accidents.

**Road Foreman's Report**

Mr. Clay noted that three vehicles were in for inspection in April. The road crew began delivery of recycling cans to residents' homes. Cold patching was done and storm drains were cleaned. The crew installed a new stop sign, replaced 2 others and also installed "Stop Ahead 500 Feet" signs. The salt and cinder sheds were cleaned up and covered. The dog park has been excavated, regraded and seeded. Crew members participated in training at the Berks County Public Works class and PSATS.

**Secretary's Report**

Ms. Conners reported that the second meeting with FEMA for Disaster Assistance took place on April 26<sup>th</sup>; the Township is up to date with the required submission paperwork. Participants for the Wernersville Memorial Day parade should mark their calendar to be there at 9:00 a.m. The Township office received thank you correspondence from John Muir for erecting the stop sign at Point Road and Leslie Street. Ms. Conners announced the following executive sessions: April 20<sup>th</sup> to discuss possible litigation; April 30<sup>th</sup> to discuss possible litigation; May 5<sup>th</sup> to discuss a personnel issue.

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Ms. Conners requested a motion to formalize the hiring of a new probationary officer. **On Motion** by Ms. Johnson, seconded by Mr. Keltz, to approve the hiring of John P. Sellers as Patrolman at the rate of \$32.19 per hour, effective May 16, 2016. Motion passed unanimously.

Ms. Conners reported that she has received the required paperwork from Sandra Davis to authorize a Deputy Tax Collector. The Deputy Tax Collector is authorized to act on the behalf of the Elected Tax Collector in the event of the incapacitation of the Tax Collector by death or illness. Ms. Davis has named Christy Zacher as her Deputy. Ms. Zacher is Ms. Davis' daughter and she has assisted with the tax collector's office duties for many years. This appointment is approved by the Township, and then the appointment form is forwarded to the surety company for their approval.

Ms. Conners requested an executive session to discuss a personnel issue; no action is anticipated to be taken.

**Solicitor's Report**

Mr. Bellwoar presented a draft ordinance to amend the compensation of the Supervisors to \$2,500 per year, based on the population figures from the 2010 census. He reminded the Board that the new compensation level is not effective until each Board member runs for office and is elected again. **On Motion** by Ms. Johnson, seconded by Mr. Keltz, to authorize the advertisement of the Ordinance to increase Supervisor compensation to \$2,500 dollars per year, consistent with PA law. Motion passed unanimously.

Mr. Bellwoar reported that Mr. Rhode requested that language be added to the bid proposal for the 2017 Seasonal Requirements to address the quality of service and to reject bidders that have defaulted in the performance of a prior contract with the Township. **On Motion** by Ms. Johnson, seconded by Ms. Scull, to authorize the advertisement for bids for the 2017 Seasonal Requirements, with the proposed changes to language as suggested by the Solicitor. Motion passed unanimously.

Mr. Bellwoar noted that the Berks County EIT Collection Bureau asked that the Township adopt an Ordinance that allows them to hire a collection agency to pursue relatively small amounts of overdue taxes, and have the agency recover its fees directly from the delinquent taxpayers and employers. **On Motion** by Mr. Keltz, seconded by Ms. Johnson, to authorize advertising on Ordinance in the form presented by the Solicitor, as requested by Berks County EIT Collection Bureau. Motion passed unanimously.

Mr. Bellwoar has been in contact with Jaime Schlesinger of the PFM group regarding the potential bond issue. The Township will need a bond counsel to navigate the various legal aspects of floating a bond. Bond counsel can be appointed as a professional; a Request for Proposal (RFP) can be prepared by the Solicitor and Mr. Schlesinger. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to approve the preparation of an RFP to bond counsel, for a potential bond issue. Motion passed unanimously.

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**Old Business**

Ms. Scull noted that Mr. Nevitt was previously the representative to the Berks County Tax Collection Committee (TCC). The three member municipalities of the Wilson School District are to appoint one member to represent all three municipalities on the TCC. Ms. Scull has attempted to contact Jay Vaughn from Spring Township to discuss this issue, but has not been successful. Mr. Bellwoar said he would be meeting with Spring Township counsel and will ask them what their plans are in regard to this issue. Ms. Scull will be Lower Heidelberg's choice for primary delegate and Ms. Johnson will be the choice for alternate delegate.

**New Business**

Ms. Scull reported that she has met with a representative from the Pennsylvania Department of Corrections Work Services (DOC) regarding the manufacturing of a custom millwork dais for the meeting room. Previous estimates obtained for custom wood working have exceeded \$20,000 dollars. The DOC estimate for a custom made, cherry wood casework dais is \$8,499. The DOC completes the manufacturing and delivers the casework; the road crew will do the actual installation.

**Public Comment**

Ms. Scull asked for any public comment. Mr. Gabell inquired as to whether or not the audit statement was advertised; Ms. Conners confirmed that it was. Ms. Johnson reported that a resident on Faust Road dispatched a rabid skunk in his yard; this was during daylight hours. She requested that Ms. Conners post a warning on the website regarding animals who are normally nocturnal that are spotted during daylight hours and acting strangely. Ms. Conners will post a warning.

**Adjournment**

**On Motion** by Ms. Scull, seconded by Ms. Johnson, to adjourn to an executive session at 7:58 p.m. Motion passed unanimously.

Respectfully submitted,



Theresa Conners, Township Secretary/Treasurer

Approved: June 20, 2016