

**LOWER HEIDELBERG TOWNSHIP BOARD OF SUPERVISORS**  
**REGULAR MEETING MINUTES**  
**August 15, 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 John Mahoney, Township Engineer Ryan Rhode (GVC), Township Engineer Pamela Stevens (SDE), Code Enforcement Officer Glenn Kraft, Police Chief Thomas Deiterich, and Road Foreman Matthew Clay. Absent was Secretary/Treasurer Theresa Connors.

The meeting was called to order by Chairwoman Scull at 7:00 p.m. Ms. Scull led the pledge to the flag.

Solicitor Mahoney opened the public hearing; he explained that South Heidelberg Township has drafted three amendments to the Southwestern Berks Joint Zoning Ordinance. The first is a change for the shed siting standards, the second is to allow indoor firing ranges in the C3 zoning district, and the third is for a change to the single family cluster use in the MD VC zoning district. All three of these changes only affect South Heidelberg Township, but as it is a joint zoning ordinance, Lower Heidelberg would also approve the changes if there were no objections. Mr. Mahoney noted that South Heidelberg has approved two of the amendments: the shed siting amendment and the single family cluster use, but tabled the indoor firing use in a C3 district. He also noted that the zoning ordinance amendments have been reviewed by the Planning Commission and have been duly advertised. Mr. Mahoney asked for public comment on the proposed ordinances; there were no public comments or questions from the public or any township officials or staff. **On Motion** by Ms. Scull, seconded by Ms. Johnson, to approve Ordinance 2016-343 to amend the Joint Zoning Ordinance to revise shed siting standards, to approve Ordinance 2016-344 allowing the change to the single family cluster use in the MD VC district, and approving Ordinance 2016-345 allowing the indoor firing range use in the C3 district. Motion passed unanimously. Mr. Mahoney closed the public hearing.

The minutes from the July 18, 2016 Regular Meeting were distributed for review prior to the meeting. **On Motion** by Ms. Johnson, seconded by Mr. Keltz, to approve the minutes of the July 18, 2016 Regular Meeting as presented. Motion passed unanimously.

**Open to the Public**

Ms. Scull asked if there was any public comment. Charles Rohrer of 26 Calming Trail in the Legacy at Papermill spoke about standing water in the detention basin behind the apartments, and a sinkhole that has developed at the other detention pond. He is also concerned about tall weeds, particularly on the Lower Heidelberg side of the Papermill Road Bridge. He commended the police for the speed enforcement being done on Papermill Road, but would like to see more police presence. He also noted that although Phase One of the development is substantially completed, the walking trails are not. Mr. Mahoney explained that the Township is holding an escrow to guarantee the completion of the public improvements. The money is only released if the Township Engineer verifies that the improvements are complete.

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Mr. Rohrer also noted that in the homeowner's documentation it mentions that the public sewer system could be turned over the Township; he inquired if this will be a possibility anytime in the future. Ms. Stevens responded to this and said that there is no date set for this to occur; the developer would have to complete certain steps and then notify the Township that he would offer the lines in the ground and the pump station to the Township. The force main is maintained by Spring Township, and the sewage ultimately flows to the City of Reading. At the last discussion between the developer and the Township, he indicated that he was not yet ready to turn it over. The roads will remain private, but the Township will consider accepting the sewer when it meets the Township requirements. Easements are granted to allow the Township staff to enter and maintain the sewer system; the developer has not yet offered the easements. Mr. Rohrer asked if the Township will also take dedication of the walking trails; Mr. Mahoney said the Township will not as that is considered private property. Ms. Stevens clarified that the pump station is accepted as a public improvement. Mr. Rohrer said his last issue was the noise that comes from the Papermill Road Bridge; he acknowledged that the Township has been out to effect a temporary fix, but he inquired if the bridge repair or replacement will be included in the items to be repaired with the new bond issue. Mr. Rhode noted that the Township has an agreement with Spring Township for the overall maintenance of the bridge. The bridge straddles the municipal boundary with Spring Township, but Lower Heidelberg is designated as the custodian of the bridge. The design for the repair must be done first, and then the repair may be effected the following year.

Cynthia Bickley of 2 Calming Trail asked what rights do residents have to try to get these items addressed. Mr. Rhode said that the Township is holding the escrow funds which guarantee the completion of the public improvements. As there are still lots under construction the Township would not demand the completion of the walking trails. The developer has not indicated to the Township that the trails will not be completed. Mr. Mahoney noted that his office can check the security agreement to see if there is a timeline for the completion of the improvements. Ms. Bickley said she is also disappointed with the high weeds and piles of dirt and rocks. Mr. Rhode said the detention basins also fall under a county permit, and are being observed by both his office and the Berks County Conservation District. His office will look into this issue; those areas will have to be stabilized eventually. Ms. Bickley also expressed concern about trees that have been planted in the development but have not been maintained and are now dead. Mr. Rhode explained that any trees that were installed as part of the public improvements and were escrowed, will have to be replaced by the developer prior to final dedication. Ms. Bickley noted that at this time there is no resident representative on the Homeowner's Association board. Mr. Kraft noted that his office will follow up on the high weed issue. Ms. Scull noted that if the residents have issues, the public meeting is the correct forum for their concerns to be heard by the board.

**Tax Collector's Report**

Ms. Scull reported that Tax Collector Sandra Davis turned over \$15,782.74 dollars for the month of July. The report was received in the Township office by the 10<sup>th</sup> of the month.

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**Treasurer's Report**

In the absence of the Secretary/Treasurer, Ms. Scull presented the June Treasurer's report for the Board's review. Ms. Connors will have the July and August reports at the September Board meeting.

**Approval of Bills**

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

**Subdivision and Land Development**

Mr. Mahoney noted that Attorney Becker and representatives of Glen Gery, met with the Township to propose an amendment to the plan to allow 135 units, with 35 deed-restricted acres being dedicated to the Township. The remaining acreage on the north tract will be restricted to single family homes. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to approve entering into the fourth amended settlement agreement with Glen Gery as presented by the Solicitor. Motion passed unanimously. Ms. Scull explained that the agreement was amended to allow Glen Gery to build additional homes, increased from 92 to 135, in exchange for Glen Gery giving the township 35 acres of land for public use. The land is on Rebers Bridge Road down to Wagner and halfway to Sweitzer. If a developer is willing to give the land, the Township is willing to take it and hopefully be able to develop it as a park. Ms. Johnson noted that the land is currently being farmed, and will continue to be farmed until the Township decides what to do with the parcel. The only other land owned by the Township is the parcel housing the Township building.

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

In the absence of Jared Renshaw, Lt. Jason Stein presented the July activity report. Western Berks assisted Shillington and West Reading with fires in July. There will be a fund raiser on August 30<sup>th</sup> from 5:00 to 9:00 p.m. at Five Guys in Sinking Spring; 20% of sales will be donated to the fire company to support the smoke detector program. The smoke detectors are in partnership with the Red Cross. The second quarter budget report shows spending is only at 42%.

**Planning Commission**

There was no Planning Commission meeting held in July.

**Building/Zoning Report**

Mr. Kraft reported that 22 permits were issued in July for a total construction value of \$1,225,989 dollars. Their office handled 4 property maintenance issues, 2 of which have been resolved, one that is ongoing with the Township maintaining the property with a future lien to recover the costs, and one issue which expected to be resolved shortly.

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His office will follow up with the high weed issue at the Legacy at Papermill. Ms. Scull reported that the Township office received a phone call thanking the Zoning Department for the handling of the matter on Hill Terrace Drive in an expedient manner.

**Great Valley Consultants Report**

Mr. Rhode reported that his office is working with the winning contractors to finalize the 2017 Seasonal Requirements for fuel and salt. When the contract documents are received, he will forward them to the Solicitor's office for review.

Mr. Rhode asked if the Board would like to proceed with having more than one contractor for emergency sewer repairs. Ms. Stevens said this would be a good idea; there was a recent incident with a contractor hitting a sewer line and the need to find a contractor to do the emergency repair. She recommends accepting time and material quotes, and keeping these on file for emergency calls. Chief Deiterich requested that the contractor list be expanded to include building maintenance contractors for the Township building. Mr. Rhode will begin working on this project.

The summer line painting has been completed by A-1 Traffic Control Products and invoicing has been received: for crosswalks and traffic signals, Invoice 10414 in the amount of \$1,908 dollars and for long line painting, Invoice 10427 in the amount of \$7,048. 28 dollars. On Motion by Ms. Scull, seconded by Mr. Keltz, to approve payment of the line painting invoices as presented by the Township Engineer. Motion passed unanimously.

Mr. Rhode noted that the Township had a contract in place with Construction Master Services for the Gaul Road culvert replacement. The original invoice has been adjusted for a small credit; Mr. Rhode requests the Board approve the payment to Construction Master Services. On Motion by Ms. Scull, seconded by Ms. Johnson, to approve the invoice from Construction Master Services for the Gaul Road Culvert Replacement in the amount of \$18,000 dollars. Motion passed unanimously.

Mr. Rhode noted his office did send the Notice of Intent to Award to EJB Paving in the amount of \$293,000.15 dollars. He anticipates getting the bonding and insurance paperwork shortly and the work on Wagner Road should begin in the next few weeks.

**Systems Design Engineering Report**

Ms. Stevens reported that she has the information requested by Ms. Scull as backup for the City of Reading billing. The city sent a letter requesting sewer information needed to calculate the rates for the 2017-2018 bills. The Chapter 94 report figures are based on the building that is anticipated; with Phase Two of Legacy at Papermill at a standstill, she does not have the information she needs to project for the EDU's. The Township should contact Mr. Powell to find out where he is with Phase Two. Ms. Scull said she will contact Mr. Powell.

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Ms. Stevens noted that Sinking Spring Borough has been invoicing the Township for high strength surcharges. South Heidelberg Township would like to see it sampled where it comes into the treatment plant. She will compose a letter for review by the Solicitor, and then send it to the Borough if the Board approves.

Ms. Stevens noted that when the broken sewer line occurred recently on Penn Avenue, there were unexpected charges incurred for consultant and staff time; she asked what the Township could do to try and recoup the costs from the contractor involved. Mr. Mahoney suggested that she put together a narrative and list of costs incurred.

There are two homeowners in the Faust/Knollwood area who are not cooperating with the water testing. Ms. Stevens asked Ms. Scull to contact the homeowners involved to see if she can persuade them to allow the testing. Ms. Stevens also discussed a phone call received from a landlord for a property on State Hill Road; they are not on the sewer billing, and yet they do not seem to be on the list of On-Lot Systems. Township staff will investigate the matter further; if they are an On-Lot, they cannot have multiple apartment units. If they are hooked up to public sewer, they need to be paying a bill.

### **Recreation Board Report**

Ms. Scull reported that the Dog Park is opening on Saturday, September 10<sup>th</sup>. The Fall Festival will be held on Saturday, October 1<sup>st</sup> at the Hain's Church Picnic Grove.

### **Police Report**

Chief Deiterich thanked the Township Board and staff members for the kindness and consideration shown to him and his family after the death of his son; he appreciates all the cards and the allowed time off. The Chief reported that there were 1,829 service hours for the month of July, with 555 calls; of those, 15 were criminal complaints and 8 were motor vehicle accidents. The Chief noted that while he was off, there was a shooting on Hill Terrace Drive, and he commends Detective Christopher Stouch for his handling of the incident, and for the other officers who assisted. Detective Stouch kept the Chief informed, and there was an arrest made within just a few days. The Chief also noted that on a land development matter, Stackhouse Bensinger has been sending the plan for Papermill Estates to the Fire Commissioner, instead of to the Fire Marshal; as soon as they send him the most current plan, he will review it.

### **Road Foreman's Report**

In the absence of Mr. Clay, Ms. Scull read the Road Foreman's report. The crew did seven pipe replacements on Wagner Road in preparation for the repaving. The crew members passed their CDL-A training exam, but still have to do the physical driving of the leaf collector part of the exam. They have started mowing the roads, and will doing the roads first that will be oil and chipped. They will be spot chipping Riegel Road, Big Spring Road and Point Road. Wagner Road will be reclaimed and resurfaced, so there will be some inconvenience while these improvements are being completed.

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**Solicitor's Report**

Mr. Mahoney noted that the collective bargaining for the new police contract continues. The Solicitor's office responded to the title company processing a property transfer in the Green Valley Heights subdivision for one of Mr. Grande's properties; Ms. Scull noted the transfer was in the newspaper, so it appears to have gone through. His office has not received any response from the tax collector, but as she did turn in the report in a timely manner this month, there does not seem to be a need to hold compensation. The Bond closing is scheduled for August 16<sup>th</sup> and all documents appear to be in order.

The Solicitor's office has proceeded with the lien filings as authorized by the Board at last month's meeting: 36 Sabrina Street, 77 Sweetwater Lane, 456 North Church Road and 203 Saddlebrook Drive. He will contact the developer of the Legacy at Papermill to discuss both the projected timeframe for completion of the development and also the issue of transitioning of responsibilities from the developer to the Homeowner's Association.

**Old Business**

Ms. Johnson noted that she received the report from the Western Berks Ambulance covering the first half of 2016. The Ambulance responded to 184 emergency calls for service in Lower Heidelberg Township. There are two levels of care provided by the Ambulance; basic and advanced life support. Advanced care includes IV placement, cardio resuscitation, airway assistance and defibrillation. They responded to 100% of the calls for Lower Heidelberg Township.

**New Business**

Ms. Scull reported that she received a request for assistance from the Greco family of Gaul Road who are on the list for farmland preservation. They currently have a property that is zoned with three different zoning districts, one for each parcel. The County has told them it would be beneficial to have all three parcels zoned A-1; they will not grant the preservation unless all of the tract is zoned A-1. Ms. Scull will contact Dean Stricker, who is on the Ag Security Board, and is helping the Greco's with this issue, to see if they have a letter from the County giving more detail. Ms. Scull said she also has an agreement with PA American Water for public fire hydrant service that the Board will need to sign.

**Public Comment**

Ms. Scull asked if there was any public comment. A resident asked if he could speak to the Zoning Officer regarding gas lines with plastic fittings. He has metal gas lines that are held in place with plastic hooks; Mr. Kraft said that they should be metal hooks. Mr. Kraft recommended that the homeowner should contact the home builder to remedy the problem. A representative from the Reading Eagle inquired if the Township is considering installing any bee gardens anywhere. Ms. Johnson said perhaps the Township could consider this on the land that they expect to acquire for future park use.

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Ms. Johnson asked the Chief if the Township electronic speed sign could be set up at Papermill Road; Chief Deiterich said that would be possible and that it would also be helpful if residents would contact their State representative's office regarding passing the local police radar law.

**Adjournment**

**On Motion** by Ms. Johnson, seconded by Mr. Keltz, to adjourn at 8:18 p.m. Motion passed unanimously.

Respectfully submitted,



Theresa Conners, Township Secretary/Treasurer

Approved: September 19 2016