

**LOWER HEIDELBERG TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
MAY 15, 2017**

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

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

Approval of Minutes

The minutes from the April 17, 2017 Regular Meeting and the May 10, 2017 Work Session were distributed for review prior to the meeting. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to approve the minutes of the April 17, 2017 Regular Meeting and the May 10, 2017 Work Session as presented. Motion passed unanimously.

Open to the Public

Ms. Scull asked for public comment. Nathan Tiedeken of 146 Connecticut Avenue addressed the Board regarding speeding motorists on Connecticut Avenue. Mr. Tiedeken thanked the Board for the recent placement of the speed box in front of his house. Mr. Rhode reviewed the speed box records and noted that the records seem to indicate that North bound traffic appears to be traveling at a rate of 25 mph, but South bound appears to be traveling between 35-45 mph. Mrs. Tiedeken spoke from the audience and suggested that if the speed box were moved to point at the bridge on Connecticut Avenue it would record those going at a higher rate of speed. Mr. Tiedeken has procured permission from five homeowners on Connecticut Avenue for the police to sit in their driveways at any time in order to deter speeders. The list of names was given to Chief Deiterich. It was noted that three offenders were pulled over for speeding during the past month. Mr. Rhode noted that once Mr. Clay returns to work they will review the current signage along Connecticut Avenue to determine if there is a need for more warning signs. Mr. Rhode will also obtain pricing on line painting to be used as a traffic calming measure; Mr. Tiedeken asked that the Township continue to consider alternate measures to address the speeding issue.

Robert Ashton of 465 Sensen Road thanked Ms. Conners for contacting PPL Electric for the street light problems on Sensen Road.

Treasurer's Report

Ms. Conners noted that the Tax Collector turned in \$1,754,134.72 for the month of April. Ms. Conners presented the list of bills and the April Treasurer's Report for the Board's review. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to approve the Bill List as presented. Motion passed unanimously. **On Motion** by Mr. Keltz, seconded by Ms. Scull, to accept the Treasurer's Report as presented. Motion passed unanimously.

Subdivision/ Land Development

There were no items scheduled for presentation.

Fire Commissioner's Report

In the absence of Jared Renshaw, Ms. Scull presented the monthly activity report for April. There were a total of 62 calls for the month of April, 11 of which were in Lower Heidelberg Township. Western Berks hosted PL Vulcan Fire Training; 6 members attended Fire Department Instructors Conference in Indianapolis; worked with the staff from the State Hospital to conduct flow testing of fire hydrants on campus; and hosted a televised Press Conference on May 3rd at Fire Station 18-1 in conjunction with the Red Cross and UGI, regarding the Home Fire Preparedness Campaign.

Planning Commission

Ms. Scull noted that there was no Planning Commission meeting held in May.

Building/Zoning Report

Mr. Kraft reported that there were 26 permits issued during the past month for a total construction value of \$695,486 dollars. Permit fees were collected in the amount of \$10,252 dollars. There were two property maintenance issues. The Township has received a Zoning Hearing Board application for the property at 6790 Penn Avenue which houses a cycle shop. The applicants, Paul and Linda Steiner, are seeking a variance to allow an apartment in the same building as the shop. The property is across from the Deska Motel on Penn Avenue. The applicants proposes to use the eastern rear space of the upstairs, second floor of the building as a one-bedroom apartment for their personal residence. Mr. Kraft inquired as to whether the Board would like to take a position on the application; both Mr. Keltz and Ms. Scull noted they have no position relative to the application.

Kraft Engineering Report

Mr. Rhode reported that the bid for the 2017 Street Work was duly advertised and bids were opened earlier in the day. The low bidder for Contract One Road Repaving was New Enterprise Stone & Lime and for Contract Two for Seal Coat Oil and Chip was Asphalt Maintenance Solutions; Mr. Rhode noted that Contract Two should be awarded first as it was a straightforward bid project. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to award Contract No. Two for Seal Coat Oil and Chip to Asphalt Maintenance Solutions, as presented by the Township Engineer, in the amount of \$89,920 dollars. Motion passed unanimously.

Mr. Rhode explained that Contract One for Road Repaving was more involved as it contains an alternate bid to include the road repair needed for Water Road. The Water Road project was originally intended to be a 50/50 split between the Township and Western Berks Water Authority (WBWA). The awarding of the bid to New Enterprise would include Water Road if the alternate bid is accepted, but to date the Township does not have a firm commitment from WBWA that they will actually pay 50% of the project costs.

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The bid award is time sensitive, and should include language specific to the possible inclusion of Water Road if terms can be arranged with WBWA. The actual cost of the overlay of Water Road is \$51,035.30. Mr. Rhode has reached out to WBWA to confirm their commitment to the 50/50 split, but has not received a response. In essence, the Township would be committing to payment to the contractor for the entire cost of Water Road, with the intention to receive a reimbursement from WBWA. Ms. Scull will contact WBWA and tell them that the Township needs to know what their intention is for the agreed upon split. Mr. Rhode inquired of Mr. Bellwoar if the Board could grant the bid conditionally while awaiting WBWA's response. Mr. Bellwoar responded that the bid can be awarded for the full alternate price, conditioned on the Township sending WBWA an invoice for their share, or the Board can award for the full alternate price without a condition, being prepared to pay the full price of the contract. **On Motion** by Mr. Keltz, seconded by Ms. Scull, to award Contract No. One for Road Repaving to New Enterprise Stone and Lime, as presented by the Township Engineer, with a base bid amount of \$480,061.34 dollars, with an alternate bid amount of \$531,096.64 if the Western Berks Water Authority agrees to pay 50% of the portion of the alternate bid covering Water Road, specified as Alternate H in the bid specs, in the amount of \$51,035.30 dollars. Motion passed unanimously.

Mr. Rhode reported that Mackin Engineering, the Township's Bridge Inspector, has advised that additional weight restriction signage is required for the Heidelberg Road Bridge. The postings will actually be in Heidelberg Township. As Lower Heidelberg Township is the custodian for the bridge, it becomes our Township's responsibility to ensure that the bridge is posted properly. They are asking for two more signs, but would like to see at least one more sign. Mr. Rhode would recommend one more sign be added; the Board was in agreement.

Systems Design Engineering Report

Ms. Stevens reported that City of Reading has not completed the Chapter 94 reporting requirement; DEP may not issue any planning approvals for the City of Reading service area until the Chapter 94 report is completed. The only development for Lower Heidelberg that could be affected would be Legacy at Papermill. Approval has been received from DEP for the Leibman Planning Module. The mixed use plan presented by Forino Development indicates a mix of public on private sewer; Ms. Stevens noted that DEP will not approve this arrangement. The area for Longview has been designated as public sewer in the Act 537 Plan. Ms. Scull noted that there may not be capacity at the plant; how would DEP address that issue. Ms. Stevens said they would expect the developer to pay to upgrade the existing plant. She will compose a letter to DEP explaining what the applicant will do in the interim until there is greater plant capacity at the Borough.

The Township continues to receive invoices from Sinking Spring Borough for high strength surcharges; Ms. Stevens noted that five tests have been run on the sewer and each one had error messages. The Borough is using faulty data when calculating the surcharge invoices. The Township then pays an invoice taken from skewed test results. Ms. Stevens will set up a meeting with Mike Hart from Sinking Spring Borough and explain that if needed she will put the invoices in front of a judge and explain that the test results are skewed and the Borough continues to produce invoices from flawed data. Ms. Stevens will let Mr. Bellwoar know the result of the meeting in case of pending litigation. Ms. Scull will also attend, and Ms. Scull will invite Bryce Zollner from the Sinking Spring Borough Authority to attend.

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Ms. Stevens and Ms. Conners will begin the study for the sewer rates. Ms. Steven and Ms. Scull will begin the inspection of the grease traps for the commercial sewer permit project.

Recreation Board Report

Ms. Scull reported that the Reading Phils game on Sunday, June 25th is "sold out"; a list has been created of those who would like to be on stand- by if any tickets become available. Planning continues for the 175th Anniversary Celebration to be held on Saturday, September 9th at the Green Valley Swim Club. The fireworks display and several musical entertainment acts have been contracted. Ms. Scull noted that a Star Wars movie night was held on May 6th, but attendance was disappointing. A lot of work goes into planning the recreation events; if residents are not going to attend, the Rec Board will no longer be hosting the free events.

Police Report

Chief Deiterich reported that for the month of April there were 1,947 service hours, with 146 calls answered. Of those, 12 were criminal complaints and 7 were motor vehicle accidents. Bids have been received and were opened today for the 2007 Ford Crown Victoria. The received bids are: Ronald Tobias in the amount of \$950 dollars and Bradley Pflum in the amount of \$450 dollars. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to accept and award the bid for the 2007 Ford Crown Victoria from Ron Tobias in the amount of \$950 dollars. Motion passed unanimously. Barbara Brenner asked the Chief if he could reveal where the people lived who were stopped for speeding on Connecticut Avenue; he responded that they all lived in the neighborhood. Frank Gabell asked if there was any progress on the resolution in Harrisburg for the local police to use radar; the Chief responded that there has not been any forward movement on the resolution.

Road Foreman's Report

In the absence of Mr. Clay, Ms. Scull presented the monthly activity report. The crew cut trees on Faust Road to improve the site distance from Riegel Road. The crew readied several equipment items for auction on the Muncibid website. The Township has awarded the bids on some of the items and has already made close to \$2,000 dollars. Street signs are being installed. Greg Watts was tested for his pesticide license; being able to spray cuts down on the amount of weed-whacking around sign posts. The crew has started shoulder mowing; the public should exercise caution when they see mowers ahead.

Secretary's Report

Ms. Conners reported that although the Board had previously passed a resolution to approve the three year moving contract with PennDOT, the State inadvertently omitted the necessary language for the State's required minimum wage for activities covered by the contract. The State has sent a revised contract with the required minimum wage language which will need to be executed and returned to Mr. Hefflefinger at the Temple office. Ms. Conners has prepared a resolution for the approval. **On Motion** by Mr. Keltz, seconded by Ms. Scull, to approve Resolution 2017-15 authorizing the revised PennDOT Mowing Agreement for the years 2016 – 2019. Motion passed unanimously.

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Ms. Conners reported that an escrow account was established in 2010 for the Legacy at Papermill in the amount of \$10,250 dollars; \$10,000 was released to the applicant in 2010, leaving \$250 dollars in the account to accrue interest of a penny a month. Ms. Conners requests to close the account and transfer the \$253 dollar balance as a credit to the current Legacy at Papermill project billing account. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to authorize the Township Treasurer to close the Legacy at Papermill Escrow Account at VIST Bank, account number 0910010843, with a current balance of \$253.89 dollars; with funds to be transferred to the project billing account for the Legacy at Papermill. Motion passed unanimously.

Solicitor's Report

Mr. Bellwoar noted the need for an alternate member to be appointed to the Zoning Hearing Board. Ms. Scull reported that the resident she had asked has declined due to possible conflicts. The Board will continue to solicit for an alternate member. Mr. Bellwoar noted that the sewer capacity agreement pending with Grande has been reviewed by all parties; Grande has no issues, and has signed the agreement and will be returning it to the Township. It will be ready for the Board's action at the next meeting.

The applicant for the Papermill Estates project was present. Mr. Bellwoar noted that the applicant's engineer dropped off final plans yesterday, but there are other issues still to be resolved, specifically the Financial and Developer's Agreements and the payment of the recreation in-lieu-of fee. Any project billing invoices for consultants must also be paid. Ms. Conners noted that there was some confusion as there are two separate project billing accounts for the project, one under Miller Law Group and one under Sandia Partners. The applicant confirmed that Mr. Miller is a principle under Sandia and authorized the Miller Law Group billing balance to be transferred to the Sandia Partners billing account. Mr. Bellwoar confirmed that the project billing expenses run with the land. The applicant asked if the Board will re-affirm the plan approval; Mr. Bellwoar responded that it will not be necessary. After the final plans are reviewed by the engineer and all other conditions of the plan approval have been met, the plans will be marked with the date as to when the conditions were met, and the applicant will then have 90 days from that date to have the plans recorded. The applicant asked if they could begin work on the site; Mr. Rhode responded that they can move dirt if they have E&S approval, but do so at their own risk. The applicant was advised to contact the Berks County Conservation District before beginning any earth moving.

Mr. Bellwoar noted that his office is continuing with the necessary steps to initiate collection proceedings against the James and Terri Waters of 129 Grande Boulevard; the notice to the mortgage company has been re-sent to Wells Fargo and his office is awaiting a response. He has contacted Henkels & McCoy in regard to the cost of the sewer line damage; if they do not reply his office will pursue the claim through the local District Justice.

Personnel

There were no Personnel issues.

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Old Business

There was no old business.

New Business

There was no new business.

Public Comment

Ms. Scull asked if there was any public comment. Frank Gabell inquired as to whether either of the candidates for Tax Collector has discussed the bank option with the Township; Ms. Scull said she believes both candidates are aware of the option, but at this time the Township is not considering it.

Adjournment

On Motion by Mr. Keltz, seconded by Ms. Scull, to adjourn at 7:55 p.m. Motion passed unanimously.

Respectfully submitted,



Theresa Conners, Township Secretary/Treasurer

Approved: June 19, 2017