

LOWER HEIDELBERG TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
JUNE 19, 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, Road Foreman Matthew Clay, Detective Christopher Stouch, and Township Secretary/Treasurer Theresa Conners. Absent were Chairwoman Cheryl Johnson and Police Chief Thomas Deiterich.

The meeting was called to order by Vice-Chairwoman Scull at 7:03 p.m. Ms. Scull led the pledge to the flag.

Approval of Minutes

The minutes from the May 15, 2017 Regular Meeting were distributed for review prior to the meeting. **On Motion** by Mr. Keltz, seconded by Ms. Scull, to approve the minutes of the May 15, 2017 Regular Meeting as presented. Motion passed unanimously.

Open to the Public

Ms. Scull asked for public comment.

Present were residents from the Timberlake development who discussed drivers ignoring stop signs on Timberlake Lane and Baywood Avenue. Shawn Head of 179 Lingle Avenue presented photos and an URL link showing video of many vehicles ignoring the stop signs. He noted that the police department has responded to the Neighborhood Watch's concern about this issue, and enforcement has been stepped up, but the problem still occurs. He would like to see a stop bar or the word "stop" painted on the road. The corner of Timberlake and Lingle Avenue is a bus stop and he is concerned for the children's safety. Scott Worley of 130 Timberlake Lane said this has been a problem since he moved in, in June of 2015. He noted that Timberlake Lane is used as a cut-through for people seeking to avoid congestion on Penn Avenue.

Detective Stouch thanked the gentlemen for being members of the Neighborhood Watch and agreed that more enforcement with a no tolerance policy should be in place, but that some sort of signage would be a good idea. Mr. Clay said that he would work with Mr. Rhode to investigate line painting of stop bars and "stop" words. Mr. Rhode suggested perhaps a reflective sign post or red flashers on the sign itself would help. The development has been in the construction phase for 15 years, and the signs were only installed relatively recently. Mr. Head asked if a crosswalk could be installed at the intersection; Mr. Rhode replied that there is no curb cut on the south side; in order to provide one the Township would need to install an ADA approved ramp. Resident Frank Gabell suggested that a "stop ahead" sign might help alert drivers who are not seeing the stop sign. Robert Melson of 964 Baywood Avenue suggested that a visual impact is needed to alert drivers. He agrees that the "stop ahead" or "prepare to stop" sign is a good idea and that a crossbar painted perpendicular to the sign posts with the word "stop" painted before the crossbar would be a visual deterrent.

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

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Mr. Bellwoar advised that the regular meeting should be recessed for the Zoning Ordinance Amendment hearing. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to recess the meeting in order to begin the hearing. Motion passed unanimously.

Zoning Ordinance Amendment – Reverse Lot Frontage

Mr. Bellwoar explained that the proposed amendment addresses how to deal with lots bounded by parallel roads, in essence having a road in the traditional front yard, and another in the backyard. These lots make it difficult for homeowners to utilize their property for the placement of accessory uses like sheds. The proposed amendment defines the parallel street as the rear lot line and specifies the setback requirements for accessory structures. The amendment has been reviewed by the Planning Commission and approved by both South Heidelberg Township and Wernersville Borough. Ms. Scull asked for public comment; there was none. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to re-open the regular meeting. Motion passed unanimously.

Mr. Bellwoar noted that the proposed amendment was ready for the Board's action. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to approve Ordinance No. 2017-350, amending the Southwestern Berks Regional Zoning Ordinance to address reverse frontage lots. Motion passed unanimously.

Treasurer's Report

Ms. Conners reported that the Tax Collector turned in \$26,898.84 dollars for the month of May. Ms. Conners presented the list of bills and the May Treasurer's Report for the Board's review. **On Motion** by Mr. Keltz, seconded by Ms. Scull, to accept the Treasurer's Report for May and the bill list as presented. Motion passed unanimously.

Subdivision/ Land Development – Timberlake Phase 1 Release of Maintenance Bond

Mr. Rhode reported that he has been working with Greth Homes and the Road Foreman to address any outstanding issues in Phase 1 of Timberlake as the developer approaches the end of the 18 month maintenance period. At this time all issues have been addressed and it would be appropriate to release the escrow funds held by the Township. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to approve the release of the 18 month maintenance escrow for Timberlake Phase 1. Motion passed unanimously.

Fire Commissioner's Report

Jared Renshaw presented the report for May. There were a total of 67 calls for the month of May, 13 of which were in Lower Heidelberg Township. Western Berks hosted a joint press conference with the Red Cross and UGI regarding the Home Fire Preparedness Campaign. On May 6th the department went door to door in Lower Heidelberg in the area of Saddlebrook, Erich and Daniel streets, and installed 46 smoke detectors. To date the department has installed 333 total detectors. UGI has donated \$100,000 dollars to the Home Fire Preparedness Campaign.

Planning Commission

There was no one present from the Planning Commission; Mr. Bellwoar noted that at the June meeting the Commission did approve one time extension request.

Building/Zoning Report

Mr. Kraft reported that there were 20 permits issued during the past month for a total construction value of \$542,204 dollars. Permit fees were collected in the amount of \$10,987 dollars. There were two property maintenance issues. A Zoning Hearing Board hearing was held on June 13th for the property at 6790 Penn Avenue which houses a cycle shop. The applicants, Paul and Linda Steiner, were granted a variance to allow an apartment in the same building as the shop. A new Zoning Hearing application has been received for a variance to allow a shed, previously installed, to remain at its current location on the property of Tiffany Holdren of 321 Daniel Street. The hearing is scheduled for July 18th; 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. Mr. Kraft noted that with the resignation of Richard Essig from the Zoning Hearing Board, the Supervisors will need to appoint a replacement.

Kraft Engineering Report

Mr. Rhode reported that a building permit application has been received for Community Evangelical Church; the applicant received land development approval for a building addition several years ago. The building permit plan as submitted does not appear to match what was originally submitted on the land development plan. The building footprint and the grading plan have been changed. A meeting should be held with the applicant and Township officials in order to clarify whether the building permit plan needs to be changed, or whether the applicant should revise their previously approved plan. The Township staff will investigate whether there is any issue with this expansion with the sewer capacity previously allotted to the church.

The 2017 Street Work Contract One Notice to Proceed has been issued; road repairs will begin with Sportsman Road during the week of June 27th, weather permitting. The Notice to Proceed for Contract Two for the oil and chip has also been issued and that work is tentatively scheduled for mid-July.

Mr. Rhode noted that the Township has started receiving requests for annual seasonal requirement bids from various suppliers. He would like to move ahead with preparing the 2018 Seasonal Requirements, including road salt and fuel; the Board was in agreement. Mr. Rhode will begin planning the bid project with Mr. Clay.

Systems Design Engineering Report

Ms. Stevens reported that Glen Ridge Estates will be connecting to the Spring Township sewer treatment facility. She recommends that a letter be sent to Spring Township requesting a "will serve" response from Spring Township that they have the capacity at the Wastewater Treatment Plant, and to include in their response a list of the issues that Lower Heidelberg and Spring Township must still address.

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The developer of the Longview tract on Route 422 has contacted SDE stating that they now want to install a package treatment plant for the proposed development. Ms. Stevens cautioned that such a system must have an operator or HOA responsible for the maintenance, and it is possible that they may abandon the responsibility for the project at a future date.

The Township has responded to several sewer backups reported on North Church Road; these backups were caused by tree roots invading the lines. SDE has corresponded with several residents on North Church Road to encourage them to remove the trees. The Township may need to consider lining this section of the sewer main and the associated laterals to prevent this reoccurring problem.

Recreation Board Report

Ms. Scull reported that the Reading Phils game on Sunday, June 25th has "sold out" of all 150 tickets. Planning continues for the 175th Anniversary celebration. There will be musical entertainment, a talent show, displays and exhibits, food and beverages, games for the kids and a fireworks display. Volunteers are needed for any amount of time during the day of the event and to complete the planning.

Police Report

In the absence of Chief Deiterich, Detective Stouch reported that for the month of May there were 1,991 service hours, with 338 total calls answered. Of those, 12 were criminal complaints and 3 were motor vehicle accidents. On behalf of the Chief, Detective Stouch reported that Officer John Sellers has completed his probation period and the Chief recommends that he be promoted to Patrol Officer Second Class, effective May 31, 2017, with the wage increase as specified in the contract. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to approve the promotion of Officer John Sellers to Patrol Officer Second Class, effective May 31, 2017, with the wage increase as specified in the contract, wage increase to be retro-active to May 31, 2017. Motion passed unanimously. Officer Stouch reported that the department received a grant of \$1,085.00 dollars from the Richard Groff and Meda Kern K-9 Endowment Fund of the Berks County Community Foundation to purchase a vest for Officer Lawless.

Road Foreman's Report

Mr. Clay presented the monthly activity report. One vehicle was inspected. The crew began mowing both the local and the State roads. Spraying of guard rails and sign posts was started. The street sign change out to the new blue signs continues. The crew started storm pipe and storm box repairs on Gaul Road and Palm Road. Wooltown Road will be closed from Sportsman Road to Heidelberg Road on Monday, June 26th to do the storm box work there prior to road repairs. Mr. Clay noted that the Township is paid by the State to mow and yet the State then hires an outside contractor to come back in and mow. This seems like a waste of tax dollars. Ms. Scull said that she will contact the local PennDOT office to discuss this issue. Mr. Clay is obtaining prices for a camera to be used for sewer line inspections; Ms. Stevens noted that the right model could also be used to inspect sink holes and storm sewer runs.

Secretary's Report

Ms. Conners noted that with the bulk of the tax receipts being received, June would be an appropriate time to effect the annual payment from the General Fund to the Sewer Fund; this payment would be made as an inter-fund transfer. **On Motion** by Mr. Keltz, seconded by Ms. Scull, to authorize the Township Treasurer to transfer the annual payment of the previously budgeted loan payback, from the General Fund to the Sewer Fund, in the amount of \$40,000 dollars. Motion passed unanimously.

Solicitor's Report

Mr. Bellwoar noted that with the resignation of Richard Essig from the Zoning Hearing Board, a permanent position is open, and the Township needs to appoint a replacement to serve out his term. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to accept with regret, the resignation of Richard "Tex" Essig from the Zoning Hearing Board; and to adopt Resolution No. 2017-16, in which his years of service are noted and appreciated, as set forth in Resolution No. 2017-16. Motion passed unanimously. **On Motion** by Mr. Keltz, seconded by Ms. Scull, to adopt Resolution No. 2017-17, appointing Michael F. Roberts, to serve as a member of the Zoning Hearing Board, to serve a term expiring December 31, 2018. Motion passed unanimously.

Mr. Bellwoar reported that the Sewer Allocation Agreement between Grande Construction and Lower Heidelberg Township has been reviewed and signed by the developer. **On Motion** by Mr. Keltz, seconded by Ms. Scull, to enter into a Sewer Allocation Agreement with Grande, in the form presented, to clarify issues pertaining to available capacity for sewer. Motion passed unanimously.

Mr. Bellwoar explained that, as previously noted, the Planning Commission has recommended approval of a time extension request for the Timberlake Lot 20 Subdivision plan; the applicant requested the extension for 6 months, but the Commission approved the extension for 90 days, bringing the review period to November 21, 2017. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to approve the MPC extension request for the Timberlake Lot 20 project, extending the review period through November 21, 2017. Motion passed unanimously.

Mr. Bellwoar reported that the mortgage company for the Waters, at 129 Grande Boulevard, has satisfied the municipal lien, inclusive of all legal fees and court costs. A Sheriff Sale has been scheduled for the Yeye property at 322 Daniel Street for July 7, 2017. A General Release has been prepared to resolve the dispute between the Township and the Henkels & McCoy Company regarding the sewer line damaged during excavation on Penn Avenue. **On Motion** by Mr. Keltz, seconded by Ms. Scull, to approve and enter into the settlement agreement as presented, to resolve the dispute over payment to the Township for damage to the sewer line.

Mr. Bellwoar announced that a brief executive session was held prior to tonight's meeting to discuss possible litigation. Ms. Scull noted that an ordinance amendment addressing medical marijuana will be considered at the next work shop for the Regional Planning Commission, which will be held on June 28th at 7:00 p.m. at the Lower Heidelberg Township building.

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Personnel

There were no Personnel issues.

Old Business

There was no old business.

New Business

There was no new business.

Public Comment

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

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: July 17, 2017