

**Lower Heidelberg Township
Board of Supervisors
Regular Meeting Minutes
August 21, 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 Chairwoman Cheryl Johnson, Vice-Chairwoman Deborah Scull, Township Solicitor Andrew Bellwoar, Township Engineer Ryan Rhode (Kraft), Township Engineer Pamela Stevens (SDE), Code Enforcement Officer Glenn Kraft, Police Chief Thomas Deiterich and Township Secretary/Treasurer Theresa Conners. Absent were Member Michael Keltz and Road Foreman Matthew Clay.

Chairwoman Johnson called the meeting to order at 7:00 p.m. and led the pledge to the flag.

Approval of Minutes

The minutes from the July 17, 2017 Regular Meeting and the August 16, 2017 Work Session were distributed for review prior to the meeting. **On Motion** by Ms. Johnson, seconded by Ms. Scull, to approve the minutes of the July 17, 2017 Regular Meeting and the August 16, 2017 Work Session minutes as presented. Motion passed unanimously.

Open to the Public

Ms. Johnson asked for public comment. Joan London addressed the Board regarding 3394 Evans Hill Road on behalf of property owner Dr. Maggie Clauser. Ms. London noted that Dr. Clauser's property is being subjected to water runoff which she attributes to construction on a neighboring parcel. Ms. London presented several photographs of ponding water and asked that the Township investigate the situation. Solicitor Bellwoar asked if the Berks County Conservation District (BCCD) has been contacted regarding the issue; Ms. London said she would take the issue to BCCD, but would still like the Township's input. Mr. Rhode noted that he will review the permitting process for the construction of the new dwelling and the demolition of the old dwelling on the neighboring property.

Public Hearing MS4 Permit Pollution Reduction Plan

Ms. Johnson opened the public hearing portion of the meeting for the Pollution Reduction Plan. Mr. Rhode noted that Great Valley Consultants (GVC) has prepared a Pollutant Reduction Plan (PRP), which has been available at the Township Building for the public's review. The plan was duly advertised. The PRP is a required component of the Township's 2018 Municipal Separate Storm Sewer System Permit. The Township is currently in the process of preparing the required materials, including the PRP, which are due to the Department of Environmental Protection no later than September 16, 2017. Due to the sediment and phosphorus impairments of the local streams within the Township, and per the terms of the 2018 permit, DEP requires the Township to prepare and implement a Pollutant Reduction Plan to reduce sediment and phosphorus loads, from the Township's storm sewer system, into the streams.

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The plan proposes the construction of a wet pond within the Little Cacoosing watershed to reduce the amount of sediment and phosphorus currently discharged into the stream. Based on the methodology developed by DEP, the facility has been designed and located to address the minimum required sediment and phosphorus load reductions of 10 percent and 5 percent respectively. GVC has selected an existing detention basin located in Green Valley Estates, to be converted to a wet pond, which would address the pollutant reduction criteria the Township will now be subject to in the new permit cycle. Ms. Johnson asked for public comment. There was none.

Ms. Johnson closed the public hearing portion of the meeting. Mr. Rhode noted that the lack of public comment will be included in the minutes and that will be forwarded along with the new permit application to DEP as part of the Pollutant Reduction Plan.

Public Hearing - Zoning Ordinance Amendments

Mr. Bellwoar noted that two zoning amendments were recently reviewed by the Joint Planning Commission. The medical marijuana ordinance addresses the regulation of medical marijuana facilities and uses. The Township Planning Commission has recommended approval of the ordinance amendment. The amendment has been duly advertised and has been available for public review at the Township Office. Ms. Johnson opened the hearing and asked for public comment; there was none. **On Motion** by Ms. Scull, seconded by Ms. Johnson, to adopt Ordinance 2017-351, an amendment to the Southwestern Berks Regional Zoning Ordinance, to regulate medical marijuana facilities and uses, in the form recommended by the Regional Planning Commission, and as advertised. Motion passed unanimously. The second amendment is a proposal from South Heidelberg Township to repeal the overlay district put in place a few years ago to rezone a parcel from R-3 to A-1 Agricultural Preservation. The Township Planning Commission has recommended approval of this ordinance as well. Ms. Johnson called for public comment; there was none. **On Motion** by Ms. Johnson, seconded by Ms. Scull, to adopt Ordinance 2017-352, an amendment to the Southwestern Berks Regional Zoning Ordinance, to repeal the MD/VC Zoning District in South Heidelberg Township, and to rezone certain parcels from R-3 to A-1, in the form recommended by the Regional Planning Commission, and as advertised. Motion passed unanimously. Ms. Johnson closed the public hearing.

Treasurer's Report

Ms. Connors presented the Tax Collector's Report, the list of bills and the July Treasurer's Report for the Board's review; the Tax Collector turned in \$4,000 for the month of July. **On Motion** by Ms. Johnson, seconded by Ms. Scull, to accept the Treasurer's Report for July and the bill list as presented. Motion passed unanimously.

Community Evangelical Church – Recorded Plan Amendment

Mr. Bellwoar noted that Community Evangelical Church recently submitted a permit application to begin site improvements that were originally approved in 2011; the applicant will still be expanding the building, but not to the extent on the original plans, and intends to construct a portion of the stormwater management facilities. The remainder of the approved work will be done at a future date.

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As the stormwater management facilities and improvements are not consistent with the approved plan of record, the applicant was advised to revise the plans; they are now phasing the improvements. The gym and rec building with the associated parking and stormwater improvements will be placed in Phase 2. There is no need for additional financial security and the applicant already has a sufficient security in place to cover both phases. The Township Planning Commission has reviewed the revised plan and has recommended approval. **On Motion** by Ms. Scull, seconded by Ms. Johnson, to approve with conditions the revised final plans for Phase 1 of the Community Evangelical Church land development project in the form as provided by the Solicitor's office. Motion passed unanimously.

Westerly/Reese Tract Subdivision

Mr. Bellwoar reported that plans for the Westerly Tract Subdivision were recently amended. The amendment allows the purchaser, Forrest Stricker, to acquire an additional 31 acres for a total of 101 acres; Mr. Reese will retain ownership of the existing lot consisting of 28 acres. A non-building waiver form must be submitted to DEP; Mr. Stricker said he is now ready to submit that form. The plan has been revised to include a note that the right to build on the property will reside with the 28 acre lot. Mr. Bellwoar noted that the Planning Commission has reviewed the plan and has recommended approval. **On Motion** by Ms. Johnson, seconded by Ms. Scull, to approve with conditions the revised final plans for the Westerly/Reese subdivision in the form as provided by the Solicitor's office. Motion passed unanimously. Ms. Stevens noted that associated with the subdivision is the Request for Plan Waiver to be forwarded to DEP. **On Motion** by Ms. Johnson, seconded by Ms. Scull, to authorize the execution of the Plan Waiver. Motion passed unanimously.

Fire Commissioner's Report

Jared Renshaw presented the report for July. There were a total of 76 calls for the month of July, 12 of which were in Lower Heidelberg Township. Mr. Renshaw reported that the Western Berks Fire Department (WBFD) will be hosting a Town Hall meeting at the Township Building on September 28th at 7:00 p.m. to discuss the past, present and future of the Fire Company. John Stein, Trustee of the Fire Department, discussed the condition of the Brownsville Road sub-station. The structure is deteriorating and a decision must be made as to whether to put money into repairs, or to sell the building. This topic will be discussed at the Town Hall meeting and residents are encouraged to come out for the meeting on the 28th.

Planning Commission

There was no one present from the Planning Commission; Mr. Bellwoar noted that at the August meeting, the PC acted upon both the Community Evangelical Church Plan and the Westerly/Reese Subdivision. In addition, the PC accepted the resignation letter of Commission Member Ed Emery, and recommended the appointment of Alternate Heath Kearney to fill Mr. Emery's term. **On Motion** by Ms. Johnson, seconded by Ms. Scull, to accept the resignation letter of Planning Commission Member Edward Emery, and to appoint Heath Kearney to fill the remainder of Mr. Emery's term.

Building/Zoning Report

Mr. Kraft reported that there were 23 permits issued during the past month for a total construction value of \$1,390,710 dollars. There were ten property maintenance issues, six of which were resolved. There were four zoning issues, one of which was resolved. A Zoning Hearing Board hearing was held for the property at 321 Daniel Street; the applicant was granted a variance to allow a shed, which was previously installed without a permit, to remain on site.

Kraft Engineering Report

Mr. Rhode noted that the 2017 Street Work project is nearly complete, with Gaul Road scheduled for August 22nd. The 2018 Seasonal Requirements have been advertised and bids should be awarded at the next Board meeting. The 2018 Emergency Services Contract has been prepared and is ready to circulate. Mr. Rhode has investigated a resident concern at 350 Wooltown Road; the road is settling close to a private sewer line; SDE will coordinate with the SEO's office. L & B Dodge reported a potential sinkhole in their parking lot; upon investigating, Mr. Rhode discovered it does not appear to be a sinkhole, but rather a damaged pipe along with erosion of the area surrounding the pipe. The pipe is part of a system that runs from Old West Penn Avenue and then under the L & B lot; Mr. Rhode noted that the Township responsibility ends at the right of way. The pipe within the right of way has eroded into a conduit bank of gas lines, and this issue should be addressed jointly with South Heidelberg Township. Mr. Bellwoar suggested that Mr. Rhode should draft a letter to the property owner, which the solicitor's office will review. Ms. Johnson asked if East College is on the three year road plan; Mr. Rhode said he believes it is on the third year.

Systems Design Engineering Report

Ms. Stevens has coordinated with the Township and the developer's engineer concerning the Planning Module for the Glen Ridge Estates; a resolution has been prepared. **On Motion** by Ms. Johnson, seconded by Ms. Scull, to approve Resolution 2017-18 for Plan Revision for New Development. Motion passed unanimously. Ms. Stevens noted that a meeting will be held on Wednesday, September 13th with the residents of the Faust/Knollwood area to bring the residents up to date on what will be submitted to DEP.

Recreation Board Report

Ms. Scull reported that plans continue for the 175th Anniversary celebration; volunteers are still needed. The event will be held at the Green Valley Swim Club and parking will be at the Wilson Elementary and Middle Schools. A shuttle van will bring participants to the entrance of the swim club.

Police Report

Chief Deiterich reported that for the month of July there were 1,808 service hours, with 330 total calls answered. Of those, 11 were criminal complaints and two were motor vehicle accidents. The Chief noted that Lower Heidelberg was listed on the Safest Cities in Pennsylvania list, coming in at number 46.

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Road Foreman's Report

In the absence of Mr. Clay, Ms. Scull reported that several vehicles were inspected. The office handled a number of complaints about the Gaul Road detour. There were also many complaints about the tar and chip program. Residents are advised that tar and chip extends the life of the roads, and ultimately saves the Township money on road replacement. Signs were up for two weeks to warn residents that the roads were going to undergo oil and chip; when the signs are out, drivers must slow down.

Secretary's Report

Ms. Conners reported that September is Childhood Cancer Awareness Month; an appropriate resolution has been prepared. **On Motion** by Ms. Johnson, seconded by Ms. Scull, to approve Resolution 2017-19 recognizing September as Childhood Cancer Awareness Month. The motion passed unanimously.

Solicitor's Report

Mr. Bellwoar noted that an ordinance has been prepared and duly advertised to eliminate the killed-in-service benefit as provided by the Township; this benefit is now provided by the Commonwealth under Act 51 of 2009. **On Motion** by Ms. Scull, seconded by Ms. Johnson, to adopt ordinance 2017-353, an amendment to the Police Pension Plan to repeal the killed-in-service benefit in light of a change in state law, in the form as advertised. Motion passed unanimously.

Personnel

There were no Personnel issues.

Old Business

There was no old business.

New Business

There was no new business.

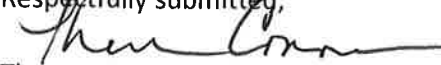
Public Comment

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

Adjournment

On Motion by Ms. Johnson, seconded by Ms. Scull, to adjourn at 8:03 p.m. Motion passed unanimously.

Respectfully submitted,


Theresa Conners, Township Secretary/Treasurer

Approved: September 18, 2017