

**Lower Heidelberg Township  
Board of Supervisors  
Regular Meeting Minutes  
February 19, 2018**

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, Member Michael Keltz, Township Solicitor Robert Tucker, Township Engineer Ryan Rhode (Kraft), Township Engineer Pamela Stevens (SDE), Code Enforcement Officer Glenn Kraft, Police Chief Thomas Deiterich, Road Foreman Matthew Clay and Township Secretary/Treasurer Theresa Conners.

Chairwoman Johnson called the meeting to order at 7:02 p.m. and led the pledge to the flag. Ms. Johnson announced that the Board held a brief executive session for a personnel issue on February 9, 2018.

Ms. Johnson announced that prior to the start of the regular meeting, Chief Deiterich would address the room. The Chief noted that the K-9 program began with an idea in 2011 with Officer Justin Lawless taking the lead to secure financing and obtain Empir, the first K-9 for Lower Heidelberg. Officer Empir and Officer Lawless worked tirelessly together for six years, securing and apprehending numerous offenders. The Chief thanked Justin and Kim for all the hard work and countless hours spent training and taking care of Empir. The Chief presented Officer Lawless with a photo plaque commemorating Empir's service to the department. Officer Lawless thanked the Chief, the Board and the department members for the recognition and the years of support for the program.

**Approval of Minutes**

The minutes from the January 15, 2018 Regular Meeting were distributed for review prior to the meeting. **On Motion** by Mr. Keltz, seconded by Ms. Scull, to approve the minutes as presented. Motion passed unanimously.

**Open to the Public**

Ms. Johnson asked for public comment. There was none.

**Tax Collector's Report**

Newly elected Tax Collector Sharon Boyer was in attendance. She reported that the County tax office has advised her that due to the change of tax collector and the fact that Ms. Davis had collections for January, it would be better if the payments between the two tax collectors had a clean break point. For this reason, Ms. Boyer will hold her collections and report them all on her February report, which will be delivered for the March meeting. Ms. Conners noted that Ms. Boyer will be using electronic funds transfers in lieu of paper checks to deliver her tax collections to the Township.

**Treasurer's Report**

Ms. Conners presented the list of bills and the January Treasurer's Report for the Board's review. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to accept the Treasurer's Report for January and the bill list as presented. Motion passed unanimously.

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**Fire Commissioner's Report**

In the absence of Jared Renshaw, Ms. Johnson presented the report for January. There were a total of 97 calls for the month of January, 15 of which were in Lower Heidelberg Township. Chief Deiterich asked if Chief Renshaw has provided an update on ISO; Ms. Johnson noted she will check with Jared at the next Fire Board meeting.

**Planning Commission**

Ms. Johnson reported that the Planning Commission did not meet in February.

**Building/Zoning Report**

Mr. Kraft reported that there were nine permits issued during the past month for a total construction value of \$860,000 dollars. His office worked on two property maintenance issues and four zoning issues. Rental registration letters were sent out, and approximately 75% have complied.

**Kraft Engineering Report**

Mr. Rhode reported that the Papermill Road Bridge project is ready to be advertised. Spring Township will be sharing the cost of the project and has advertised for their portion. The current specs include the beam replacement in lieu of the beam repair. **On Motion** by Ms. Johnson, seconded by Ms. Scull, to authorize Great Valley Engineering and Rettew Associates to proceed with the advertisement of the bid documents for the Papermill Road Bridge repair project. Motion passed unanimously.

Mr. Rhode noted that a meeting took place with the bridge inspector regarding the Palm Road Bridge. Mr. Rhode has been working with Carbon Engineering on the design of a fiber enforced repair of the Palm Road Bridge parapet. A proposal has been received from Carbon Engineering, dated February 16, 2018 for the engineering design of the fiber enforced repair; the amount is \$2,500 dollars and is for just the design element. Ms. Stevens noted that there will be a demonstration of the fiber reinforcing product at the July Berks Public Works Association meeting. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to approve the proposal from Carbon Engineering in the amount of \$2,500 dollars for the design of the Palm Road Bridge. Motion passed unanimously.

Mr. Rhode met with Ms. Scull and Mr. Clay to review the schedule for the 2018 Street Work. State Hill Road North and Water Road have both been advertised in the past, but the work was not completed. At the Board's discretion, both roads can again be advertised with language that they may or may not be awarded again this year. It would be helpful to discuss the repairs again with Western Berks Water Authority (WBWA) to see if they have completed their improvement project and are ready to have Water Road refinished. Ms. Scull will contact WBWA to see if they are close to finishing their project. She noted that Mr. Bellwoar is working with the Army Corp of Engineers regarding State Hill Road North to see if the existing agreement needs to be amended.

**On Motion** by Ms. Scull, seconded by Ms. Johnson, to authorize Kraft Engineering to advertise the 2018 Street Work in accordance with the following: first advertisement on March 6<sup>th</sup>, the second advertisement on March 15<sup>th</sup>, with the bid opening to be held on April 9<sup>th</sup> and the potential project award date of April 16<sup>th</sup>. Mr. Rhode noted that within the scope of the 2018 street work, there are two existing culverts, one on Sweitzer Road and one on Faust Road. Mr. Rhode is seeking permission to speak to the Township's emergency maintenance contractor, A.H. Moyer, to get prices on replacement of the culverts to compare against having the road crew do the work. These two culverts should be replaced in advance of the Street Work bid. **On Motion** by Mr. Keltz, seconded by Ms. Scull, to permit Mr. Rhode to contact A.H. Moyer for the purpose of securing estimates on the two culvert replacements. Motion passed unanimously.

### **Systems Design Engineering Report**

Ms. Stevens provided a map of the Timberlake Phase 2 sewer lines. Wernersville Municipal Authority has noted that there are pieces of broken PVC and a potential inflow and infiltration issue in the Stitzer Meter area. SDE recommends that the Township Road crew utilize the new sewer camera to televise the Phase 2 lines to see if there are any issues with the Phase 2 sewer lines. The plant operator for the Sinking Spring Borough cross country run has notified SDE that he has seen a lot of clear water, so the camera will be used to televise that section also. Ms. Stevens will send Mr. Clay a map of the location to be televised. Mr. Clay confirmed that reflectors will be placed to mark the cross country line.

Ms. Stevens noted that PA American is requiring the installation of a new backflow preventer at the Rosewood Hills Pump Station; Ms. Conners will contact State certified contractor David Small to provide a quote for the new backflow preventer. PA American has extended the deadline to March 20<sup>th</sup> for the completion of the work. **On Motion** by Ms. Johnson, seconded by Mr. Keltz, to authorize payment to David Small up to \$1,000 for the installation of the backflow preventer; if over that amount, Ms. Conners will obtain Board approval. Motion passed unanimously.

Ms. Stevens request permission to proceed with the public meeting required by DEP for the Faust/Knollwood Act 537 Amendment; the first step being to advertise the public meeting. **On Motion** by Mr. Keltz, seconded by Ms. Johnson, to authorize SDE to advertise a public meeting to be held to obtain public comment on the Faust/Knollwood Act 537 Amendment. Motion passed unanimously.

### **Recreation Board Report**

Ms. Scull reported that the Easter Egg Hunt will be held on Saturday, March 24<sup>th</sup>. There will be a Chinese auction again this year with several nice baskets to be raffled off.

### **Police Report**

Chief Deiterich reported that for the month of January there were 2,121 service hours, with 153 total calls answered. Of those, nine were criminal complaints and six were motor vehicle accidents. Chief Deiterich inquired if the Solicitor's office has sent the necessary correspondence to PennDOT regarding the condition of Brownsville Road and the frequent serious accidents there; Mr. Tucker said he would check with Solicitor Bellwoar on this matter.

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The Chief noted the placement and testing of the new electronic speed sign. He thanked the Board members for their support of the K-9 program, and said the new pup should be out on the street sometime in May.

**Road Foreman's Report**

Mr. Clay reported that one vehicle and one truck were inspected; the GMC four wheel drive had some work done, the '09 joy stick needed work and the 2010 International had brake work done. The crew has been working on cold patching and replaced ten stop signs. Turn arrows were completed on Gaul Road. Mr. Clay is working with Ms. Scull on a recycling grant application to obtain another truck.

**Secretary's Report**

Ms. Conners presented a Resolution recognizing the retirement of Officer Empir and memorializing the transfer of ownership of Empir to Officer Justin Lawless. **On Motion** by Ms. Johnson, seconded by Mr. Keltz, to approve Resolution 2018-05 recognizing the retirement of K-9 Officer Empir and memorializing the transfer of ownership of Empir to Officer Justin Lawless. Motion passed unanimously.

Ms. Conners noted that Tax Collector Sharon Boyer recently processed a tax payment which was overpaid by a few cents. Ms. Boyer asked for direction from the Board regarding how overpayments should be handled; the resolution establishes a refund policy for the Tax Collector to use when dealing with overpayments on Township tax collections; amounts under one dollar will not be refunded to the taxpayer. **On Motion** by Mr. Keltz, seconded by Ms. Scull, to approve Resolution 2018-06 establishing policies and procedures to govern the refund of tax overpayments to the Township tax collector. Motion passed unanimously.

**Solicitor's Report**

Mr. Tucker reported that the initial advertisement of the Wissinger Agricultural Security Application (ASA) has been completed. The application has been sent to the appropriate commissions and Agricultural Security boards for review and comment. The next step will be to hold a hearing on the adoption of the application. **On Motion** by Ms. Johnson, seconded by Ms. Scull, to authorize the advertisement of the public hearing for the Wissinger ASA application for April 16, 2018 at 7:00 p.m. Motion passed unanimously.

Mr. Tucker reported that the Solicitor's office is awaiting the return of the signed decision from Glen Gery on the Preliminary Plan approval.

Mr. Tucker noted that the Township recently experienced some difficulty with timely salt deliveries from the selected low bidder, Cargill. Cargill did not deliver the requested delivery within 48 hours as per the contract. Due to the untimely performance of Cargill, the Township was compelled to order a supply of salt from Eastern Salt outside the normal bidding process; this order was necessitated due to severe winter weather forecast for February 6<sup>th</sup> and 7<sup>th</sup>. **On Motion** by Ms. Scull, seconded by Mr. Keltz, that due to the existence of an emergency caused by inclement weather and a low salt supply caused by a non-performing vendor, the Township declares an emergency effective February 6 – 7, 2018, and further, move to authorize the Township purchase salt outside the normal statutory bidding procedures. Motion passed unanimously.

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Mr. Tucker noted that the Township should also address Cargill's non-performance. The Township has the option of either imposing liquidated damages as a sanction for Cargill's untimely performance; or declare Cargill in default of the contract. The order was placed on February 1 but actually delivered on February 8, five days late. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to impose liquidated damages on Cargill Inc. in the amount of \$500 dollars per day for every day that a salt delivery was late, in accordance with the terms of the contract between the Township and Cargill Inc., for a total of \$2,500 dollars. Motion passed unanimously. Mr. Rhode asked for clarification on whether the Township will be staying with Cargill; Mr. Tucker confirmed that is correct.

**Old Business**

There was no old business.

**New Business**

Ms. Scull reported that she and Ms. Haag have investigated several companies that offer community alerts for road closing, emergency notifications and event updates. These alerts are sent via home phone, cell phone, email or text. She recommends CODE RED; it is used by most of the surrounding townships and boroughs. The annual cost will be \$3,200 dollars and residents would sign up directly with the company and provide their phone number or email. The service is active 24/7/365. Ms. Johnson asked about those who do not have an email or computer; Ms. Scull noted they can still sign up using their home phone number. The sign up form will be in the newsletter and on the Township website. **On Motion** by Mr. Keltz, seconded by Ms. Johnson, to accept the proposal for the CODE RED service. Motion passed unanimously.

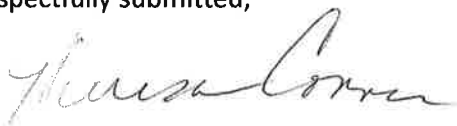
**Public Comment**

Ms. Johnson asked if there was any public comment. Resident Bob Melson asked if there was a provision that the CODE RED organization not solicit the phone numbers being provided to them; Ms. Scull confirmed that the company does not solicit and the residents' information is kept private.

**Adjournment**

**On Motion** by Ms. Johnson, seconded by Mr. Keltz, to adjourn at 7:50 p.m. Motion passed unanimously.

Respectfully submitted,



Theresa Conners, Township Secretary/Treasurer

Approved: March 19, 2018