

**Lower Heidelberg Township  
Board of Supervisors  
Regular Meeting Minutes  
March 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 Andrew Bellwoar, 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.

**Approval of Minutes**

The minutes from the February 19, 2018 Regular Meeting and the March 14, 2018 Work Session were distributed for review prior to the meeting. **On Motion** by Ms. Johnson, seconded by Mr. Keltz, to approve the minutes as presented. Motion passed unanimously.

**Open to the Public**

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

**Subdivision - 50 Heffner Road Annexation**

Mr. Bellwoar reported that the Planning Commission reviewed and recommended for approval the 50 Heffner Road Annexation. The plan proposes two annexations from the original parcel to two adjacent parcels, with no new land development. The Township Planning Commission reviewed and recommended for approval three waivers from the Zoning Ordinance: waiver from Section 652 requiring curbs; waiver from Section requiring sidewalk; and waiver from Section 658 requiring monuments. A decision has been prepared outlining the approval and any conditions related to the approval. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to approve the final annexation plan for the 50 Heffner Road property, in the form as presented by the Township Solicitor. Motion passed unanimously. Mr. Bellwoar noted that the decision must be accepted and executed by both the owner, Mr. and Mrs. Neatrou and the applicant, Mr. Henn. Ms. Conners will forward the decision to both parties for their signatures.

**Tax Collector's Report**

Tax Collector Sharon Boyer reported that \$4,581 dollars was collected for the month of February and was transmitted by ACH wire to the Township.

**Fire Commissioner's Report**

Mr. Renshaw reported that there were a total of 61 calls for the month of February, 12 of which were in Lower Heidelberg Township. The monthly report has been revised to include total call volume for the year; total call volume for the months of January and February stand at 158 calls. Chief Deiterich asked if an update has been provided to ISO; Mr. Renshaw noted that he will be reporting on this at the Fire Board meeting scheduled for March 20<sup>th</sup>, and that the building committee will also be doing a presentation.

**Planning Commission**

Ms. Johnson noted that there was no Planning Commission representative in attendance to give the report.

**Building/Zoning Report**

Mr. Kraft reported that there were eight permits issued during the past month for a total construction value of \$114,367 dollars. His office worked on two property maintenance issues and four zoning issues; of the six issues, five are now compliant and the sixth has been cited.

**Kraft Engineering Report**

Mr. Rhode reported that he and the road crew met with Carbon Engineering and SIKA Concrete at the Palm Road Bridge site on March 13<sup>th</sup>. The road crew will work with the SIKA representatives at the upcoming Berks County Public Works meeting in Oley to become SIKA approved installers. Kraft Engineering will coordinate with all parties involved with the intention to construct the repair sometime in early fall.

The 2018 Street Work has been advertised and the bid opening is scheduled for April 9<sup>th</sup>, with the anticipated award to be at the April 16<sup>th</sup> Board of Supervisors meeting.

Per the Board's direction, Mr. Rhode has obtained an estimate from the Township's Emergency Services Contractor, AH Moyer, for the culvert replacement on Faust Road, at an estimated cost of \$6,696 dollars. All work will be billed on a time and materials basis in accordance with the Township's Maintenance Contract.

**On Motion** by Ms. Scull, seconded by Mr. Keltz, to authorize Mr. Rhode to contact AH Moyer to proceed with the Faust Road culvert repair, at an estimated cost of \$6,696 dollars, to be billed on a time and material basis. Motion passed unanimously.

Mr. Rhode noted that the long lines on roads (double yellow, white edge lines) were not painted last year due to scheduling and weather conflicts. Moving forward, the Township would like to have this work completed during the spring. Mr. Rhode is seeking Board approval to work with Mr. Clay to secure a long line painting contractor for the spring; it is anticipated that the work will be less than the \$10,900 bidding threshold, since many streets will not need to be painted due to the pending 2018 Street Work improvements. **On Motion** by Ms. Johnson, seconded by Mr. Keltz, to approve the proposal from Berks Traffic for line painting in the amount of \$9,153 dollars. Motion passed unanimously.

**Systems Design Engineering Report**

Ms. Stevens noted that there are still some outstanding items to be completed at the pump station for the Legacy at Papermill. They will also need to televise the lines.

Ms. Stevens distributed a colored map of the Wernersville area sewer lines; these lines should be televised prior to the start of road construction in that area. The going rate at this time is approximately \$1.50 per running foot. There is an inflow and infiltration issue in the area, and it would be best to find out the severity of the problem before the road work starts. **On Motion** by Ms. Johnson, seconded by Ms. Scull, to authorize a televising project of the Wernersville area sewer lines, with the anticipated cost not to exceed \$50,000 dollars. Motion passed unanimously.

The 18<sup>th</sup> month maintenance period will be expiring for Green Valley Phase 11; Ms. Stevens requested that Ms. Scull contact Mr. Barnett to have Grande clean and televise that section.

Ms. Stevens inquired as to the progress of the RP valve replacement at the Rosewood Hills pump station; Ms. Conners noted that Mr. Small had been in contact with the Township office and explained that he had been able to get another time extension from PA American, and that he was planning on going to the pump house on March 20<sup>th</sup> to assess the situation and provide the estimate.

Ms. Stevens noted that the next step needed in the Act 537 Plan Amendment for Faust/Knollwood is to hold a public meeting with the Board of Supervisors. After the meeting, where the residents may comment on the amendment, the proof of publication and the meeting minutes will then be forwarded to DEP to show that the public hearing portion of the application has been completed. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to authorize the advertisement of a public meeting for the Faust/Knollwood Act 537 Plan Amendment, to be held at 6:00 p.m. on April 16, 2018 at the Township Building. Motion passed unanimously. Ms. Stevens will compose the ad and will forward to Ms. Conners for placement in the Reading Eagle.

**Planning Commission Report- revisited**

At this time, PC Chairman Michael Levan arrived and was asked to give his report. Mr. Levan reported that the Commission elected officers at the March meeting as it was the first meeting of the year. Mr. Levan will remain as Chair, Mr. Nevitt will remain as Vice-Chair and Ms. Conner will remain as Secretary. The Commission reviewed the 50 Heffner Road Annexation plan, and recommended approval for the three waiver requests and for the final plan submission. The next workshop for the Planning Commission will be held on March 28<sup>th</sup> at 7:00 p.m.

**Recreation Board Report**

Ms. Scull reported that the Easter Egg Hunt will be held on Saturday, March 24<sup>th</sup>. The event will start promptly at 2:00 p.m. at the St. John's Hains Picnic Grove. Volunteers are needed for the Recreation Board; if interested, please contact the Township office.

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**Police Report**

Chief Deiterich reported that for the month of February there were 1,860 service hours, with 142 total calls answered. Of those, 15 were criminal complaints and 10 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. Bellwoar responded that a draft letter had been composed and was sent to the Township office for review; Ms. Conners said she would check to see if the draft was received. Chief Deiterich reported that the new K9 pup will begin formal training in two weeks.

Chief Deiterich noted that signs are needed in the developments to denote the snow emergency routes. The department spent a lot of time during the last snow storms going door to door to ask residents to move their cars. Ms. Johnson inquired as to the cost of placing more signage; Mr. Clay noted they need to be placed at the end of each street, and that the primary snow routes are marked. To add more signage and to cover the secondary routes would cost from five to ten thousand dollars. The office staff will post an announcement to the webpage that cars left on emergency snow routes during the next storm will be ticketed.

**Road Foreman's Report**

Mr. Clay reported that the International was in for brake service. The crew has been cold patching and working on some tree trimming. The crew televised lines in Phase 2 of Timberlake and found two traps completely buried. The vent caps get buried and when the contractor is moving the soil for grading the PVC pipe breaks off and pieces fall in and block the sewer line. The crew also televised the main line in Green Valley. The heavy duty trailer has been ordered and should arrive in two weeks.

Mr. Clay noted an issue with the new requirement from the post office that all residents must now have gang boxes. There are houses in Green Valley West that do not have numbers on them. Ms. Johnson asked that a notice be placed in the next newsletter that house numbers are required. Ms. Scull will research the ordinance and will have staff place a notice on the webpage.

**Secretary/Treasurer's Report**

Ms. Conners reported that the Township has received the 2020 Census LUCA address packet and will begin the process of comparing the Federal street and address record with the Township street and address record. The Census Bureau has announced that there will be job openings related to the 2020 Census; information about any jobs postings will be provided to the public as it is received.

Ms. Conners noted that the Township has received a proposal from Stackhouse-Bensinger for site engineering for a possible building expansion. Ms. Conners contacted staff at Stackhouse-Bensinger to see if consideration could be given to lower the cost of the proposal. Ms. Conners reported that site drawings provided by Kautter and Kelly are being reviewed and revised by the Board and department heads; a final decision on whether or not to proceed with a building expansion is expected to be made sometime in the next month or two.

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

**Solicitor's Report**

Mr. Bellwoar reported that the Solicitor's office has drafted an amendment to the Township Subdivision and Land Development Ordinance that will require applicants to submit as-built plans for all improvements offered for dedication and will also require that applicants provide GIS coordinates for all street signs and other facilities. The ordinance is ready for advertisement. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to authorize the advertisement of the ordinance amendment as presented by the Solicitor. Motion passed unanimously.

Mr. Bellwoar noted that during a recent grant application process, Ms. Scull was informed that the current recycling ordinance should be revised to contain additional definitions. The revised ordinance has been advertised and is ready for approval. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to approve Ordinance 355, amending the Municipal Waste and Recycling Ordinance, in the form as presented by the Solicitor. Motion passed unanimously.

Mr. Bellwoar noted that the Township's contract with Waste Management is for three years, with an option for a fourth year. The third year of the contract will conclude on December 31, 2018. To invoke the option, the Township must notify Waste Management, in writing, at least 120 days before the end of the 2018 calendar year; the deadline to trigger the option year is September 2, 2018. Mr. Bellwoar reminded the Board that if they will be seeking a bid, the bid process will take at least three months.

Mr. Bellwoar presented an updated Fire Hydrant Agreement from PA American Water for the additional hydrants in Green Valley Estates West. Section Five of the agreement calls for the Township to indemnify PA American if someone sues the water company as a result of the installation, operation, performance or existence of the hydrants. This would include a failure of the water supply. Given that the Township is paying for the water service, it is unclear as to why the Township would be required to indemnify the water company for the service that the water company is contracting with the Township to provide. Instead, Mr. Bellwoar recommends that the phrase "to the extent allowed by law" be inserted after the phrase "The Applicant will indemnify, save harmless, and defend the Water Company". Ms. Conners will make the change to Section Five and will have the signer for the Township also initial that paragraph change. **On Motion** by Ms. Johnson, seconded by Mr. Keltz, to approve the Fire Hydrant Agreement for Green Valley Estates West, with the change as set forth and presented by the Solicitor. Motion passed unanimously.

Mr. Bellwoar noted that the Board has received a grievance from the Police Association and will be breaking for an executive session.

Mr. Bellwoar presented a Memorandum of Understanding (MOU) between the Township and the School District to cover the normal maintenance of signs. The Board and Mr. Rhode should review for comments or needed changes.

**Old Business**

Ms. Scull noted that the Code Red system will soon be in place. The public's information will not be distributed to anyone outside the Code Red organization. The form for sign up will be in the next newsletter, which we anticipate will coming out at the end of May, and will be posted on the Township website.

**New Business**

There was no new business.

**Recess**

Ms. Johnson announced a brief recess for an Executive Session for a possible litigation matter.

**Reconvene**

The Board reconvened from Executive Session. Mr. Bellwoar announced that the Board met in Executive Session to discuss potential litigation related to a grievance filed by the Police Association. **On Motion** by Ms. Johnson, seconded by Mr. Keltz, to deny the Police Association grievance dated February 26, 2018. Motion passed unanimously.

**Public Comment**

Ms. Johnson asked if there was any public comment. Frank Gabell asked about the nature of the police grievance. Mr. Bellwoar responded that the Board could not comment as it involves potential litigation.

**Adjournment**

**On Motion** by Ms. Johnson, seconded by Mr. Keltz, to adjourn at 8:15 p.m. Motion passed unanimously.

Respectfully submitted,



Theresa Conners, Township Secretary/Treasurer

Approved: April 16, 2018