

**Lower Heidelberg Township  
Board of Supervisors  
Regular Meeting Minutes  
October 30, 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 Eric Brown, Township Engineer Ryan Rhode (Kraft), Code Enforcement Officer Glenn Kraft, Police Chief Thomas Deiterich, Road Foreman Matthew Clay and Township Manager/Secretary/Treasurer Pamela J. Stevens. Also present were the Tax Collector, Sharon Boyer, and the EMC, Justin Schlottman.

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 September 17, 2018 Regular Meeting and the October 10, 2018 Work Shop Session were distributed for review prior to the meeting. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to approve the minutes as presented. Motion passed unanimously.

**Executive Session**

Ms. Johnson stated that the Board held an hour and a half executive session prior to this regular meeting to discuss personnel, litigation, collective bargaining, and real estate.

**Open to the Public**

Ms. Johnson asked for public comment. No one from the public had any comment.

**Tax Collector's Report**

Sharon Boyer reported that \$7,130.88 dollars was collected for the month of September 2018.

**Fire Commissioner's Report**

The Fire Commissioner was not at the October 30<sup>th</sup> Meeting, so Chairwoman Johnson summarized the Fire Department Report. Ms. Stevens attended the Fire Department Board Meeting, raised some questions and met with the Fire Commissioner the following day. The Fire Department hired two (2) career firefighters for the Department to have drivers to cover more shifts. Ms. Stevens stated that the Fire Commissioner will come to a meeting in early 2019 to present a power point on the ISO rating. Ms. Stevens stated the improvements to Station 4 will come out of the Department's Building Fund and did not affect the 2019 Budget. The Budget is affected by the new career Firefighter's as we can no longer depend on the Volunteers. Ms. Johnson stated that work is to begin at Station 4 later this week and into next week.

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**Emergency Management Coordinator**

Mr. Justin Schlottman summarized his activities for the previous month which included attending the Open House at Station 1, receiving information from the Governor concerning flooding damage relief for the event on August 31<sup>st</sup>, and there are business loans available that he completed his required training so he can enter the event data into the County's computer system, he will be submitting the draft Emergency Operations Plan for the Board to consider at their November Board Meeting.

Ms. Johnson stated we are still working on the Agreement for the shared EMC, and she had recently spoken with their Solicitor Andy George who is waiting on the Intermunicipal Agreement from our Solicitor.

Ms. Stevens stated that she would write a letter, Manager to Manager which will hopefully produce a response as there are potential locations where an EMC would be required to respond to the emergency event. Ms. Johnson also stated that South Heidelberg does not have a Police Chief at this time.

Chairwoman Johnson summarized the 3 items under consideration for purchasing for the EMC, the Motorola APX4000 Portable Radio in the amount of \$3,058.22; Motorola APX4500 Mobile Radio in the amount of \$4,331.31; and a revised Light Bar package in the amount of \$3,863.11, and then she made **the motion** to purchase equipment for the EMC for the total amount of \$11,252.64. (without tax as the Township is tax exempt), seconded by Ms. Scull. Motion passed unanimously.

Chairwoman Johnson noted that the County Hazardous Vulnerability Municipal Plan Update must be adopted by the Township. **On Motion**, Mr. Keltz made the Motion to adopt Resolution 2018-15 whereby Lower Heidelberg Township adopts the Municipal Plan Update, seconded by Ms. Scull. Motion passed unanimously

**Ambulance**

Chairwoman Johnson summarized during the Budget discussions that there will be a need to increase the Ambulance/Emergency Tax due to the hiring of the EMC even though the costs are being split between the Fire Tax and Ambulance Tax.

**Planning Commission**

Chairwoman Johnson noted that there was no Planning Commission meeting held in October.

**Building/Zoning Report**

Mr. Kraft reported that there were 20 permits issued during the past month for a total construction value of \$231,216.76 dollars. His office worked on nine property maintenance issues, and had compliance achieved on five of these property maintenance cases.

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Code Enforcement Officer Glenn Kraft discussed the ISO ratings with 1 being the highest and that Kraft Code Services received the highest rating in Pennsylvania with a 3 for residential and a 2 commercial UCC. Only a handful have received this high rating.

**Kraft Engineering Report**

Mr. Rhode reported that an escrow release #7 was received from Grande Construction for Timberlake Phase 2, and has been reviewed for completeness. The amount is \$67,560. **On Motion** by Ms. Scull, seconded by Mr. Keltz, to approve Timberlake Phase 2 Escrow Release No. 7 in the amount of \$67,560.00 dollars. Motion passed unanimously.

**On Motion** by Mr. Keltz, the Board authorizes the Manager and Kraft Engineering to coordinate the issuance of Emergency Services Contract and to consider modifications to various sections of the Contract for the calendar year 2019, Seconded by Ms. Scull. Motion passed unanimously.

Mr. Rhode gave an update on the storm water project that will need to be done on Old West Penn Avenue that splits South Heidelberg (SHT) and Lower Heidelberg (LHT) near the Savage Dealership. LHT is to refine the costs and get the projects costs to SHT so they can budget accordingly. Agreements to work outside of the right-of-way for both municipalities are going to be required. UGI will also need to lower or relocate their line. This project is slated for some time in Spring 2019.

Mr. Rhode updated the Board on the HOA contacting him concerning the Saddlebrook Detention Basin near Russel Street and the basketball court. The HOA wants Mr. Rhode to inspect the Basin and offer his engineering comments on the conditions at the Basin as the basin is at least 20 years old. Mr. Rhode had Kraft Codes pull the development plans so he could review the plans. Ms. Stevens was concerned about if the HOA will reimburse or pay for Kraft Engineering services as this is not a Township issue. Mr. Brown offered some guidance on storm water inspections and reimbursements. Road Foreman Mr. Clay also raised concerns about the settlement, the sediment buildup, and the undermining of the wall at the outlet. Consensus of Supervisors – If the HOA reimburses Kraft Engineering for the engineering services relevant to the Basin Inspection, then Mr. Rhode is to proceed.

**Sewer Related Issues/Manager Report**

Ms. Stevens reported that she has received the Final Payment Application No. 2 for the Sewer Televising Project in the Penn/Werner area. The work has been completed per contract, and no warranty period is required as it was for televising services. **On Motion** by Mr. Keltz, seconded by Ms. Scull, to approve Final Payment Application No. 2 from Utility Services Group in the amount of \$1,270.33 dollars and close out the contract. Motion passed unanimously.

**Recreation Board Report**

Ms. Scull reported that the date is set for December 8th from 2:00 to 5:00 p.m. for the annual Santa holiday party with Santa Claus and the Grinch as the theme of the party. Photos will be taken again with same group. The next meeting of the Recreation Board will be on 12/3/2018.

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**Police Report**

Chief Deiterich presented the report for the month of September. There were 1,700.25 total service hours, with 205 calls, of which 9 were criminal and 7 were motor vehicle accidents.

Chief Deiterich summarized they received 26 applications and 12 were returned for the new officer. The applications and tests were going to take place in our basement meeting room next Wednesday.

The Chief previously noted that their current Standard Operating Procedures are outdated and had received an e-mail quote from the Solicitor to update the SOP. **On Motion** by Mr. Keltz, seconded by Ms. Scull, to authorize the Township Solicitor to revise and update the Police Department's Standard operating Procedures for a cost to not exceed \$9,000. Motion passed unanimously.

**Road Foreman's Report**

Mr. Clay reported that the hydraulic tank straps needed to be replace on all of the trucks, and other vehicle maintenance. Approximately 15 Stop signs were replaced in the Green Valley Development. The Road Crew cut trees down on Paper Mill Road as well as installed 1 storm box with 3 more to be installed, cleaned the shoulder for drainage purposes and performed pavement spot repairs. As many as 20 to 30 people ignored the Road Closure Signs and the Police ticketed several people. A tree almost hit a vehicle but the crew stopped the vehicle in time. Road Crew cleaned the graffiti off of the various street signs and Point Rd Bridge. Palm Road Bridge repair was completed today and probably saved the Township \$25,000 by having the Road Crew do the repairs. Approximately 15 Stop signs were replaced in the Green Valley Development. Leaf picking started last week and ends on December 7, 2018. The Road Crew attended a MS-4 Class at the AG Center on Friday, October 19, 2018.

Ms. Stevens gave background on the existing Ordinance on the Snow Emergency matter and the letter to be sent to the residents on Snow Emergency Routes. The Snow Emergency parking ticket will increase to \$75.00 and the Towing Charges could be \$200.00. Additionally, the snow being shoveled back into the public street. The Chief noted that there is a separate Ordinance about the snow shoveled back into the public street. **Motion** made by Ms. Johnson, Seconded by Mr. Keltz that the Board authorized the Township Solicitor to proceed with the revisions/updates to the Snow Emergency Ordinance immediately so that the Ordinance can be adopted as soon as possible. **Motion** made by Ms. Johnson, Seconded by Mr. Keltz. Motion passed unanimously.

Ms. Stevens will also be attending several hearings at the local District Court to witness the procedures.

**Secretary/Treasurer's Report**

**On Motion**, the Board made a motion approving the Amended Agreement with CINTAS, specifically removing the rug services from the Agreement. Motion made by Ms. Johnson, Seconded by Mr. Keltz. Motion passed unanimously.

Hafer inspection of the fuel tank discussed by Ms. Stevens that she will sign the \$300 inspection quote as this is under the purchasing threshold. Concerns about sediment in the fuel, or potentially rust.

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**On Motion**, the Board made a motion to authorize the Manager to investigate advertising in the Newsletter. Motion made by Ms. Scull, Seconded by Mr. Keltz. Motion passed unanimously.

The COMCAST Franchise Fee was discussed and a motion was made, but was **rescinded** by Mr. Keltz, seconded by Ms. Scull and unanimously rescinded. The Manager was authorized to write a letter to the COMCAST representative to provide in writing what the impact would be to a COMCAST customer's bill if the Township increased their Franchise fee from 3% to 5%.

The Manager requested that the Board make a motion to have the Manager notify the former employees in writing of the closure of the Direct Contribution Pension Fund and along with the written notification, forward all Morgan Stanley correspondence to the former employee(s). **Motion** made by Mr. Keltz, Seconded by Ms. Scull. Motion passed unanimously.

The Manager requested that the Board consider making a motion to transfer the Sewer Funds to Fulton Bank, and closeout the Morgan Stanley investment account. These funds will be earmarked to be spent on the Sewer Project that will be occurring in the Penn/Werner area in early 2019. **Motion** made by Ms. Johnson, Seconded by Mr. Keltz. Motion passed unanimously.

Ms. Stevens gave an update on the potential impact to the 2019 and future budgets due to the proposed significant increases in costs from the Animal Rescue League and that they are now a "No Kill" shelter. The decision by the Animal Rescue League Board has still not been made if they were going by fee for service or per capita. Either way, LHT's share would be approximately \$10,000 to \$15,000. Mr. Kraft also gave an update on the ARL from KCS clients. The ARL matter will be discussed at the November 14<sup>th</sup> Work Shop along with the draft 2019 Budget.

The Manager requested that the Board consider making a motion to authorize Advertising of the Seasonal Bids Salt, Diesel Fuel 87 Octane Fuel, Heating Oil and Propane and to bring the Bids in the morning of November 19, 2018 for consideration that evening at the Regular BOS Meeting. **Motion** made by Mr. Keltz, Seconded by Ms. Scull. Motion passed unanimously.

The Manager raised the Building Security issue due some recent threats and the Manager will be proceeding with obtaining 3 quotes for securing certain doors. KCS will assist in preparing the proposal and working with the Manager. There are monies in the 2018 Budget yet for this project. Discussion also occurred concerning changing the office hours from ending at 2:00 p.m. to 4:00 p.m. starting in 2019.

Ms. Stevens presented the list of bills and the September Treasurer's Report for the Board's review. **Motion** by Ms. Johnson, seconded by Mr. Keltz, to accept the Treasurer's Report for September and the bill list as presented, and file for Audit the necessary paperwork. Motion passed unanimously.

**Solicitor's Report**

Mr. Brown noted that the Manager and the Engineer requested assistance with the lack of the Legacy at the Paper Mill Developer moving towards dedication of Phase 1. **On Motion** by Ms. Johnson, seconded by Mr. Keltz, to authorize the Solicitor to work with Manager and Engineer to ensure there are sufficient funds in the Escrow and issue a letter in accordance with the MPC. Motion passed unanimously.

Mr. Brown summarized the motion concerning real estate at 6371 Penn Avenue, Wernersville. **On Motion** by Ms. Scull and seconded by Mr. Keltz, the Township execute an Agreement of Sale between Lower Heidelberg Township and Eisenhauer Nissan for the property located at 6371 Penn Avenue, Wernersville, in the amount of \$400,000 dollars; with a down payment in the amount of \$25,000 dollars to be made by wire transfer to Suburban Abstract to be held in escrow during the due diligence period. Motion passed with Ms. Scull and Mr. Keltz voting yes and Ms. Johnson voting no.

**On Motion** by Ms. Johnson, seconded by Mr. Keltz, authorizing the retention of Special Counsel for the investigation of a personnel matter and Authorize the Manager to sign the Agreement. Motion passed unanimously.

**Old Business**

Mr. Robert Melson noted after their review of the September 17, 2018 meeting minutes concerning a District Court Hearing and the Judge gave a 30 day extension to the property owner.

Mr. Robert Melson asked if there were sufficient funds in the escrow for Timberlake for the street lights and Mr. Rhode confirmed there were sufficient funds.

Mr. Melson also inquired if additional towing specifications were considered concerning the Towing Yards, and the Chief stated that the local company, Spitler's is the one company that the Township uses when towing services are needed. Resident suggested to research other Towing Yard costs, and the Manager will look into other Towing companies.

**New Business**

None

**Public Comment**

Ms. Johnson asked if there was any other public comment.

Chief raised concerns over the mold on the equipment at Station 4 including the breathing apparatus, and could this be an OSHA issue. Tanker was finally moved after it was cleaned of the mold. Berks Fire and Water are to remediate and a portion of the Station is to be demolished.

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**Adjournment**

**On Motion** by Ms. Scull, seconded by Mr. Keltz, to adjourn the meeting at 8:24 p.m. Motion passed unanimously.

Respectfully submitted,



Pamela J. Stevens, Township Manager/Secretary/Treasurer

Approved: 11.19.18 BOS Meeting

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