

Lower Heidelberg Township Board of Supervisors
BOS Meeting Minutes – Regular Meeting
April 20, 2020 Virtual Meeting

The Lower Heidelberg Township Board of Supervisors held their monthly meeting remotely through the Zoom Platform on the above date. The April monthly meeting was duly advertised to be held electronically through the Zoom application via telephone and the internet. Present were Chairman Michael Keltz, Vice-Chairwoman Deborah P. Scull, member Cheryl L. Johnson, Township Solicitor Andy Bellwoar, Chief Thomas Deiterich, Township Code Officer Glenn Kraft, and Township Manager/Secretary/Treasurer Pamela J. Stevens. Also present were residents Susan Grimes, David Kurtz and Robert Melson.

Chairman Keltz called the meeting to order at 7:04 p.m., and led the pledge to the flag.

Executive Session: Mr. Keltz stated that the Board held an Emergency Meeting/Executive Session on March 27, 2020 concerning personnel and collective bargaining.

Public Comment – Open to Public for Agenda Items: Ms. Stevens asked if anyone wanted to ask a question concerning the Agenda Items and if so, type a note in the Chat Room. While waiting for any public response in the Chat Room, Ms. Stevens summarized the handouts concerning the County and Local Real Estate Taxes, and it appears the County Commissioners may have made a decision on the due dates for the taxes, but she could not find anything on the County website. Ms. Stevens summarized the discount period appears to stay the same, the flat rate due date shifts, and the penalty period seems to also shift. Ms. Stevens noted she will be attending a webinar on Tuesday, April 21, 2020 hosted by the Center for Excellence in Local Government and will share the information presented during the webinar with the Board. Mr. Bellwoar asked if Ms. Stevens thought there should be Board action at tonight's meeting on the Real Estate Taxes. Ms. Stevens stated that she is hesitant to recommend any action to the Board until after she attends the Webinar tomorrow and listens to Amity Township Manager Troy Bingaman's presentation on the Real Estate Taxes and the County's decision. Mr. Bellwoar stated that if the Board needed to approve of the Real Estate Tax Change before the May 18, 2020 meeting, they could do so and ratify the Resolution adopting the Real Estate payment date modification.

Ms. Stevens stated that since there were no questions in the Chat Room that the Board could move to the Agenda items.

Emergency Declarations: Ms. Stevens stated that the Board of Supervisors approved the initial seven (7) days and subsequent thirty (30) days Emergency Declarations starting on March 18, 2020 to April 15, 2020. The Township's EMC, Justin Schlottman recommended to extend the Declaration another 60 days. With the stay at home order, ensuring the capturing all COVID-19 costs for reimbursement, and utilizing mutual aid during the Emergency, an additional Emergency Declaration of sixty (60) days is warranted which will extend past the Board's June 15, 2020 meeting. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson, approve another sixty (60) day Emergency Declaration to June 25, 2020. Roll Call Mr. Keltz - Yes, Mrs. Scull - Yes, Mrs. Johnson - Yes. Motion passed unanimously.

Road Crew Furlough: Ms. Stevens stated that the Board of Supervisors had an Emergency Meeting to discuss furloughing the Road Crew due to Governor Wolf's Stay at Home order and only maintaining essential personnel at work and working remotely where possible. Due to the Road Crew in Teamster negotiations, a Memorandum of Understanding was written to outline the personnel issues during the Furlough. **On Motion** by Mrs. Scull, seconded by Mr. Keltz, approve the Emergency Decision to furlough the Road Crew for an undetermined period of time but in accordance with the Memorandum of Understanding between the Teamsters and the Township and authorize the Chairman to execute the Memorandum. Roll Call Mr. Keltz - Yes, Mrs. Scull - Yes, Mrs. Johnson - No. Motion passed 2 yes and 1 no.

Mrs. Johnson stated that because we do not know how long the Stay at Home will last at least one of the Road Crew should have stayed on and could mow the grass as the grass out front looked like it could be baled, and could also have been trimming trees and fixing potholes.

Solicitor Transition: Ms. Stevens stated that the Board of Supervisors was notified that Andy Bellwoar, Esq. was leaving the firm of Siana Bellwoar and starting his own law firm Bellwoar Kelly, LLP. The Board discussed that staying with Andy Bellwoar with his quality of services and will then transition to the new law firm. **On Motion** by Mrs. Johnson, seconded by Mrs. Scull, approve the entering into the Engagement Letter Agreement with Bellwoar Kelly, LLP and authorize the Chairman to execute the Engagement Letter. Roll Call Mr. Keltz - Yes, Mrs. Scull - Yes, Mrs. Johnson - Yes. Motion passed unanimously.

Sanitary Sewer Billing: Ms. Stevens stated that due to the COVID-19 Pandemic, the Board of Supervisors discussed two (2) issues concerning the sanitary sewer billing for the first quarter of 2020. The two (2) issues are the due date for payment and the penalty fee. Resolution **2020-18** will permit the Supervisors to implement this modification for the sewer payments for the first quarter of 2020 to have payment due in 60 days and to also waive the penalty fee if paid late. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson, approve the first quarter of 2020 sanitary sewer bills to be due sixty (60) days from the date issued and the penalty fee will be waived only for this first quarter of 2020. Roll Call Mr. Keltz - Yes, Mrs. Scull - Yes, Mrs. Johnson - Yes. Motion passed unanimously.

Waste Management Contract Release: Ms. Stevens stated that in 2019, Waste Management had overcharged for the Trash and Recycling Services, and were notified mid-year. After correspondence with Waste Management staff and Andy Bellwoar working with their legal team, a Settlement and Release Agreement was circulated to all parties and was subsequently approved by the Board of Supervisors where the December 2019 payment was forgiven and the 2016-2019 Contract was closed out with no monies exchanged from either party. Mr. Keltz asked a question concerning the dollar amounts between the Township and Waste Management. Ms. Stevens stated that after preparing the calculations the credit owed to the Township was about \$2,000, but Waste Management thought they should get all 12 monthly payments. Mr. Bellwoar said the dollar amounts were around \$33,000 that the Township was owed and \$31,000 the amount Waste Management thought they were owed. **On Motion** by Mrs. Scull, seconded by Mr. Keltz, ratify the execution of the Settlement and Release Agreement with Waste Management and terminating the 2016 to 2019 Contract. Roll Call Mr. Keltz - Yes, Mrs. Scull - Yes, Mrs. Johnson - Yes. Motion passed unanimously.

Expenses: Ms. Stevens stated that due to the potential loss of revenue as a result of the COVID-19 Pandemic, all expenses no matter the dollar value and even if budgeted should be reviewed and approved by the Manager, Ms. Stevens. If she determines that one of the expenses is in question, or she is uncomfortable approving then she will request the Board of Supervisors review the issue to make a final decision. The Chief asked a question about the vehicle maintenance and if there are emergency repairs needed do these need to go through the Manager. Mr. Keltz agreed with the Chief that emergency repairs up to a certain threshold could be approved by the Chief and not have to go through the Manager. Ms. Stevens stated that the current purchasing power document permits her up to \$1,000 without Board approval. The Chief wants to verify the process so he can communicate it to his team as he is the one woken up to authorize the emergency repair like a flat tire or towing a vehicle. Mr. Keltz suggested that the emergency repairs or an emergency in the Township up to \$1,000 could be approved by the Chief and not go through the proverbial red tape, and not have to wake her up to get approval, but wake the Chief up. Mr. Keltz stated that budgeted items that are proposed to be purchased need to reviewed and approved by the Manager. Ms. Stevens clarified that all emergency repairs under \$1,000 can be approved

by the Chief and emergency repairs over \$1,000 need to go through the Manager. Mr. Bellwoar suggested a modified motion for the Manager to review and approve all non-emergency purchases even if budgeted. Mr. Keltz stated that there is no budget as we do not know the impact to our revenue and we need to be selective on our purchase. **On Motion** by Mrs. Johnson, seconded by Mr. Keltz, authorize the Manager to review and approve all non-emergency expenses no matter the dollar value and even if budgeted, and any emergency expenses exceeding \$1,000. Roll Call Mr. Keltz - Yes, Mrs. Scull - Yes, Mrs. Johnson - Yes. Motion passed unanimously.

Bill List and Treasurers Report: **On Motion** by Mr. Keltz, seconded by Mrs. Scull, approve the Bill Lists from February 18, 2020 on. Roll Call Mr. Keltz - Yes, Mrs. Scull - Yes, Mrs. Johnson - Yes. Motion passed unanimously.

Public Comment – E-mail or Chat Room and Raise Hand Zoom Options

Chief Deiterich posted a question in the Chat Room. He asked if we are done with the old law firm. Ms. Stevens responded that it is a yes and no answer, and that there are certain tasks that will transition to the new law firm and some that will stay with the old law firm. The Board, Mr. Bellwoar and Ms. Stevens will review the list of tasks and will decide which tasks will transition to Bellwoar Kelly and which will remain with Siana. Chief Deiterich asked if any legal items come across his desk that he should forward to Mr. Bellwoar and then Mr. Bellwoar will review and decide which firm should handle the item.

Ms. Stevens asked if anyone else had a question and if so put it in the Chat Room. There were no questions, so she recapped the Tax issue. She will attend the webinar, get more information on the County decision, and then update the Board on the tax issues discussed during the webinar.

Mr. Melson asked a question concerning the Road Crew Furlough, as he thought that Police, Fire, EMS and Highway are the main municipal services. He is concerned about the potential repairs needed and roadway emergencies. Ms. Stevens stated that there is a three page Memo outlining the furlough conditions. The Township is paying for their health care, and they will be compensated for any emergency callouts. The Road Crew are available for the callouts. Some of the Road Crew in the area were not laid off since they operate a sewer or water system. She had also discussed with Pennsylvania Association of Township Officials about other municipalities and many across the State that are members of PSATS did layoff their Road Crew. This was not a decision that the Supervisors took lightly and were also complying with the Stay at Home Order, Stay at Home and Save Lives. Mr. Melson suggested that a post be placed on the Website that the Road Crew are furloughed for routine business but are available and expected to respond for emergency callouts. Mr. Melson also requested clarification on the locations on Raise Hand or Chat buttons. Mr. Kurtz and Mr. Bellwoar assisted Mr. Melson where these options are located. Mr. Kurtz asked if anyone contacted the Township concerning the meeting tonight. Ms. Stevens stated that neither she nor Lori had received any questions on the Meeting Agenda.

Ms. Stevens thanked Mr. Kurtz in assisting the Township in the practice sessions as it really helped make this meeting run better.

Adjournment: **On Motion** by Mr. Keltz and seconded by Mrs. Johnson. Roll Call Mr. Keltz - Yes, Mrs. Scull - Yes, Mrs. Johnson - Yes. Motion passed unanimously, meeting adjourned.

Respectfully prepared,
Pamela J. Stevens
Manager/Secretary/Treasurer

Approved: 7/20/2020