

Lower Heidelberg Township Board of Supervisors
BOS Meeting Minutes - Regular Meeting
July 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 July 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 Johnson, Township Solicitor Andy Bellwoar, Police Chief Thomas Deiterich, Township Engineer Ryan Rhode (KE), Zoning and Code Officer Glenn Kraft, and Township Manager/Secretary/Treasurer Pamela J. Stevens. Also present were Tax Collector Sharon Boyer was present but unable to speak during the Zoom Meeting, Neal Nevitt for the Planning Commission, Fire Commissioner Jared Renshaw, Emergency Management Coordinator Justin Schlottman and Ambulance Director Tony Tucci. Guests attending David Kurtz, Robert Melson, Paul Prutzman, Craig Jones, Craig Bonenberger, Brian Weaver, Trupert Ortlieb, Mark Quigley, Atty. Kelsey Frankowski.

Chairman Keltz called the meeting to order at 7:00 p.m., and led the pledge to the flag.

1. Approval of Minutes: The minutes from the April 20, 2020, May 18, 2020, Special Meeting May 26, 2020, and June 15, 2020 were circulated to the Supervisors prior to the meeting. **On Motion** by Mr. Keltz, seconded by Mrs. Scull, approve the minutes for the April 20, 2020, May 18, 2020, Special Meeting May 26, 2020, and June 15, 2020 meeting as presented. Roll Call Mr. Keltz - Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

Public Comment – Open to Public: Mr. Keltz asked if there were any public comments, and there were none, so the Board moved onto the Reports.

2. Tax Collector – Mrs. Boyer was present, but unable to speak during the Zoom Meeting due to technical difficulties. Ms. Stevens announced that Mrs. Boyer collected a total of \$125,032.74 in June, and in the Chat Room she posted that there were 126 unpaid bills and people are still not aware of flat rate extension.

3. Wernersville Public Library – Mrs. Scull stated that the Library is open to residents up to 25 people in the Library at a time, and 15 minutes browsing, returned books, DVD's, magazines are items to quarantine for 3 days and are returned in a different location.

4. Fire Commissioner - Fire Commissioner Jared Renshaw provided his Fire Department's June 2020 report. Mr. Renshaw stated they are still operating under the COVID-19 dynamic staffing which starting at the end of March and now doing some in person and some still in Zoom. In person meeting and training they adhere to social distancing and wearing masks. The Department participated in the Zoom Library Story Time for the Fire Department. Unless anyone has any questions, feel free to ask Mr. Renshaw.

5. Emergency Management Coordinator (EMC) - The Emergency Management Coordinator Justin Schlottman was present to discuss his report, and except for COVID, he mentioned that there was a brush fire up at the Rod and Gun Club in South Heidelberg that is in his Report. The heat has been bad and he sees no relief in sight, so stay hydrated. He has heard rumors that the Governor may put the Western Counties, and Lebanon, and Dauphin Counties may go back to Yellow Phase. Berks County is not one of the Counties under consideration. Ms. Stevens discussed reimbursement of COVID expenses is the reason why the Emergency Declaration should continue, and Mr. Schlottman said it is up to the Supervisors to have the Township's Declaration with no end date so it would be in force until the Supervisors vote to end the Emergency Declaration. South Heidelberg has their Declaration set up this way and then the Board does not have to keep extending the Declaration.

On Motion by Mrs. Scull, seconded by Mrs. Johnson, approve the Emergency Declaration to remain in force until the Board of Supervisors vote to end the Emergency Declaration. Roll Call Mr. Keltz - Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously. Mr. Prutzman had a question about the Emergency and Mrs. Johnson requested that Ms. Stevens keep it on the Agenda as an item each month.

6. Ambulance – Mr. Tucci was unavailable when his Report came up in the Agenda, and Ms. Stevens noted that there are 2 Reports this month, May and June 2020. Ms. Stevens stated that during the previous months per Mr. Tucci there was a decrease in the call volume, and now the 2 Reports are reflecting an increase in call volume. Mr. Tucci came on the Zoom meeting after the Seasonal Salt Bid was discussed. He summarized that call volume has gone up but are hearing that there may be another spike. The ambulance team is staying compliant and 7 personnel were tested and were found COVID negative. They sanitize the ambulances after every call and also the Ambulance centers. An Arrowclave was acquired and this piece of disinfection/sanitizing equipment uses vital oxide and was through a \$14,000 grant purchase. He said wear your masks! An ambulance takes 16 minutes to sanitize, and rooms up to 5,000 SF and is based on volume.

7. Planning Commission – Neal Nevitt was present to discuss that the Planning Commission had their first meeting of the Year. Mr. Nevitt summarized that the July 13, 2020 Planning Commission Meeting was held to reorganize, approve meeting minutes and discuss the Land Development Plan at 6841 Penn Avenue which includes improvements to the property to provide an Automotive Repair Facility. The Planning Commission had three (3) Zoning Hearing Applications to discuss at their meeting, but they took no position on the zoning hearing applications for 41 Pacific, 57 Virginia, and the Legacy at the Paper Mill. Mr. Nevitt asked why the Land Development Plan approval for 6841 Penn Avenue was not on the Board's Agenda and only the Waivers.

Mr. Bonenberger explained that he wanted to obtain the Granting of the Waivers tonight, clean up the Plans, and then resubmit a clean plan to the Supervisors for consideration at their August Meeting. Mr. Bonenberger discussed there are 6 waivers and Ms. Stevens stated that Andrew Kraft found the sidewalk deferral note that will be added to the Plans. Mr. Rhode stated the waivers are required due to the redevelopment of an existing property. Ms. Stevens summarized that there are 6 waivers. Mr. Bellwoar stated that the sidewalk waiver is conditioned with a deferral note to be added to the plan. For reference in the minutes the waivers are as follows: SALDO Section 127-302 Submit the Plan as a Preliminary/ Final permitted under Section 127-348, Section 127-406 Plan Scale to permit the plan to be presented at a large scale for clarity, Section 127-653 Sidewalks but the plan shall contain a note that the Township reserves the right to require the installation of the sidewalk in the future, SWM Section 223-307 Groundwater Recharge due to the Karst Geology, Section 223-308 Water Quality due to the Karst Geology, 223-309 Streambank Erosion due to the Karst Geology, and 223-902.b.7 Minimum Pipe Size. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson, grant the approval of the Subdivision and Stormwater Waivers for the 6841 Land Development Plan as follows: SALDO Sections 127-302, 127-348, 127-406, 127-653, and Stormwater Management Sections 223-307, 223-308, 223-309, and 223-902.b.7 as outlined in the McCarthy Engineering letter dated July 16, 2020. Roll Call Mr. Keltz - Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

8. Legacy at the Paper Mill: The Developer's Attorney, Kelsey Frankowski would like to make a presentation on the two (2) variance requests they have in their current Zoning Variance Application which is scheduled with the Zoning Hearing Board on August 25, 2020.

Legacy at the Paper Mill continued: She stated that the 2 Developers present tonight are Trupert Ortlieb and Mark Quigley. She summarized that they are here tonight to seek a favorable opinion from the Board of Supervisors for the Variances, but are also considering an Amendment to the Joint Zoning Ordinance to the Overlay District if the Zoning Hearing Board denies the Variances. Mr. Ortlieb then made his Power Point presentation. He summarized the completion of Phase 1 with 23 Single Family “Cottage” residences and two (2) of the Apartment Buildings E & F each having 27 Units. For Phase 2 would contain the 4 remaining Buildings, but are proposing to increase the number of units in each building but keeping the same footprint of each Building A, B, C and D. Density per Acre would increase and then there would be a decrease in the parking. Mr. Ortlieb discussed the Phase 2 Plan and the Community Center will be a stand-alone separate Building of approximately 2,200 SF. Mr. Ortlieb thanked Mr. Jones as he was helpful in having the Home Owner’s Association input. Mark Quigley asked to speak and he clarified the Board to support both the Variance Request and proceed with a Zoning Amendment. Mrs. Johnson was in support of the Zoning Hearing and Amendment, and she would authorize a letter of support, but would like a Traffic Study completed. Both Mrs. Johnson and Mr. Keltz agree with that a Traffic Study should be done as a condition. Mr. Quigley requested the traffic study be done concurrent to expedite the Phase 2, and if conclusions dictate improvements needed, then they would be implemented. Mr. Rhode stated the Traffic Study would be required as part of the Final Plan, so it is just being done sooner, but ultimately required. Mr. Bellwoar asked Mr. Rhode about the Traffic Study and Mr. Rhode stated that the Traffic Study could potentially be completed before Zoning is approved. Mr. Bellwoar stated the Amendment would incur legal costs and the advertisement costs, and typically these costs are paid by the Developer. Mr. Quigley stated they have no problem with paying these costs. **On Motion** Mr. Keltz, and seconded by Mrs. Johnson, to approve of the support of the requested variances, proceeding concurrently with the Amendment, have the Developer begin the Traffic Impact Study and have Ms. Stevens write the letter of support to the Zoning Hearing Board. CJ and roll Call, Yes to all. Motion passed. Roll Call Mr. Keltz - Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

9. Building/Zoning – Mr. Glenn Kraft stated that Kraft Code Services issued 35 permits for a construction total value of over \$1,600,000.00. Currently there are 8 open property maintenance cases, 8 open zoning cases. There are three (3) Hearings are coming up with 2 on August 11th starting at 6:00 for 57 Virginia, and 7:00 for 41 Pacific and these are deck/porch variance requests. Ms. Stevens requested confirmation from the Board that they have no opinion on 57 Virginia and 41 Pacific. The Legacy at the Paper Mill is the Hearing just discussed where the Board will have the Manager issue a letter of support.

10. Engineers - Mr. Rhode discussed his report. Glen Ridge Estates Phase 1A is under construction and will require the closure of Sweitzer Road for utility installation, but the closure is delayed. He will update the Emergency Service Department heads when he has the new closure dates. Townhouse Phase is close to finalizing the Escrow estimate. Both of the Phases that have Final Plan approval should be under construction. The other item is the matter of the encroachments in the Storm Sewer Easement in Green Valley Estates West. Mr. Rhode discussed with the Board the matter of the Legacy Mill Dam Removal. We have been aware that the Dam Removal was going to happen at some point and during the preconstruction meeting, it was discovered that the access easement was with the Paper Mill owner and not the Legacy at the Paper Mill Developer’s Owners. The Access Easement is needed from the Legacy as they are the correct property owners, and so the agencies are proceeding with getting the access easement request for the Dam Removal to the Developer’s for the Legacy at the Paper Mill.

11. Green Valley Estates West Regina Deck Post Easement Encroachments. Regina Decks and Storm Easement for Lots 90, 91, 92, 93, 94, 95, 96, 97, and 98. Grande provided a plot plan for the nine lots that contain the relocated stormwater easement. Mr. Rhode and Andrew Kraft have been working with Grande to resolve the encroachment matter. Grande prepared the Exhibit with the actual survey of the existing storm water system and are proposing relocating the easement to be centered on the storm pipe and swale. Lot 95 just slightly cantilevers over the easement and this Property owner would need the easement encroachment agreement, but the posts would not be in the easement. All of the property owners have been contacted by Grande to have all of them enter into the new Easement Agreement and the majority of the encroachments have now been eliminated with the relocated easement. Grande will take care of all costs and having the property owners sign off. Mr. Bellwoar stated the motion is fine and pointed out that he is agreeable to the revised documents except there is no signature by the Township, but as long as completed copies are given to the Township. **On Motion** by Mr. Keltz, seconded by Mrs. Scull, approve the execution of the revised storm sewer easement documents and request copies be given to the Township for their records once these documents have been signed and notarized. Roll Call Mr. Keltz - Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously. Mr. Rhode and Mr. Kraft should coordinate with Grande as they have been involved from the beginning.

12. Recreation Board – Nothing from Mrs. Scull.

13. Police Chief - The Police Chief presented his June Report and there were 2,122.5 hours of service, 347 calls, 11 criminal incidents, and 3 motor vehicle accidents. Corp. Lawless and Ozzy attended their annual certification and passed with flying colors for the annual tracking and narcotics certifications.

14. Police Department VMWare Renewal: The VMWare virtual software support is expiring on September 2, 2020, and needs to be renewed either for a 1 year (\$66.95) or 3 year (\$176.95). **On Motion** by Mr. Keltz, seconded by Mrs. Scull, approve the renewal of the VMWare software for 1 year in the amount of \$66.95. Roll Call Mr. Keltz - Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes.

Mr. Kurtz asked a question about the renewal of the VMWare, and it appears this it is through Lynx as the Broker, and Ms. Stevens concurred.

15. Road Foreman - The Road Foreman was not present. Ms. Stevens read his Report as follows: Replaced the king-pins on the bucket truck, started to repair storm box tops by pulling off the tops and re-pouring the concrete to fix the side walls and adjustment bricks on E. Charles, Sensen and Summer Hill. They responded to 1 callout for a tree down on Starr Road. They replaced various street signs. The John Deer Tractor was repaired and came in under the quote. They started mowing the Township Roads again as the weeds are growing so fast. They started to fix the 1997 Dump Truck bed by cutting out the bad spots and rewilding and repairing the bad areas of the bed.

16. New Freightliner Truck: Ms. Stevens summarized that the Board should ratify their decision to approve of the 2020 Freightliner Truck that was authorized in March 2019. The Truck is ready and will be financed with the first year payment coming out of the General Fund and the six other payments coming out of the Liquid Fuels Fund. The annual payment will be \$31,960.93, and the Township will be receiving approximately \$40,000 from the Recycling Grant between this year and next year. There is no penalty for early payoff. No questions. **On Motion** by Mr. Keltz, seconded by Mrs. Scull, approve the ratification of the financing of the 2020 Freightliner Truck with annual payments in the amount of \$31,960.93 and Payment 1 from the General Fund and Payments 2 through 7 from the Liquid Fuels Fund. Roll Call Mr. Keltz - Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes.

17. The Wooltown Road Bridge over Spring Creek has been inspected, and Ms. Stevens noted that there needs to be weight limit posting for 25 tons and 32 tons combined. The Emergency Teams have been notified of the new posting. This Bridge is on the boundary of Lower Heidelberg and Heidelberg Townships. Heidelberg Township has been contacted and will reimburse Lower Heidelberg for their share of the sign costs. No questions. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson, approve the posting of Wooltown Road Bridge over Spring Creek as recommended by the Bridge Inspection Consultant. Roll Call Mr. Keltz - Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes.

18. Seasonal Items Advertised and Bids opened: Ms. Stevens summarized that there were three Bids that were opened on July 16th at 10:00 a.m. and the low bidder was Morton Salt. Cargill and Haven Salt were the other 2 Bidders. No questions. The Manager is requesting that the Board consider awarding the Salt Bid to Morton Salt for a delivered tonnage cost of \$65.98 per ton. **On Motion** by Mr. Keltz, seconded by Mrs. Scull, to authorize the Bulk Highway Salt award to Morton Salt at a delivered cost of \$65.98 per ton for approximately 1,600 tons conditioned upon the Solicitor’s review and approval of the Bid Documents, and permit the Manager to execute all Contract Documents. Roll Call Mr. Keltz - Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes.

Manager/Secretary/Treasurer/Sewer Engineer Update - New Comcast Voice Edge Phone System has been installed at the Township Office and Police Department. The voice mails can now be converted into a .wav file and are sent to the recipient via an e-mail. The e-mail contains the message in a text form and also the .wav file. This will now permit the Code Office to be remote when retrieving the voice mails.

19. Animal Control Services: Ms. Stevens summarized that Safety Net Sanctuary submitted a \$2,000 (one year) proposal to offer Lower Heidelberg Township animal control services after a phone call concerning cats. The proposal is not all inclusive but provides basic services. Mrs. Johnson asked about if this was about farm cats, and Ms. Stevens said it is not about farm cats, but cats roaming in neighborhoods. All Supervisors agreed to leave the cats alone, and they agreed not to enter into an agreement for animal control services.

20. and 21. Bill List and Treasurers Report: **On Motion** by Mr. Keltz, seconded by Mrs. Johnson, approve the Bill Lists and the Treasurer’s Report, and to file the Report for Audit. Roll Call Mr. Keltz - Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes.

Solicitor - The Solicitor stated that all of his items were covered and he has nothing else to report.

Old Business, New Business and Public Comment: Mr. Keltz requested if anyone has any Old Business, New Business, and Public Comment.

Mr. Kurtz saw the discussion on JP Mascaro on Next Door and coordinated with Lori Haag at the Township Office. He talked with their Route Supervisor who was following the Trash Truck. Mr. Kurtz had also seen activity on the Eisenhower Property and wanted to know what was happening with the property. Ms. Stevens stated that it was purchased by Jubilee Ministries and Mrs. Scull noted that they had permits for various items.

Mr. Keltz made a **Motion to Adjourn** and Mrs. Scull seconded the motion to adjourn at 8:06 pm. Roll Call all Yes.

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

Approved 8.17.20