

**Lower Heidelberg Township Board of Supervisors  
BOS Minutes – Virtual Meeting - Regular Meeting  
December 21, 2020**

The Lower Heidelberg Township Board of Supervisors held their monthly meeting remotely through the Zoom Platform on the above date. The December 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, Assistant Township Solicitor John Mahoney, Assistant Township Engineer Scott Anderson (KE), Zoning and Code Officer Andrew Kraft, Road Foreman Matt Clay, Detective Sgt. Christopher Stouch, and Township Manager/Secretary/Treasurer Pamela J. Stevens. Also present were Tax Collector Sharon Boyer, Fire Commissioner Jared Renshaw and Emergency Management Coordinator Justin Schlottman. Guests attending David Kurtz, Robert Melson, Allison Plevrakis and Leigh-Anne Yacovelli from the Library, and Mr. and Mrs. Peter Connors, George Lehner, and Joe Margusity.

Mr. Keltz opened the meeting at 7:04 p.m. and led the attendees with the pledge of allegiance. Ms. Stevens asked after the pledge for Mr. Keltz to lead a moment of silence to honor the passing of Sandra Davis who was the Township's Tax Collector for 44 Years. Mr. Keltz noted that there were Executive sessions held on November 30, December 3, December 7, and December 16, 2020 to discuss personnel issues and potential litigation.

**1. Approval of Minutes:** The minutes from the October 19, 2020 and November 16, 2020 were circulated to the Supervisors prior to the meeting. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson, approve the minutes for the October 19, 2020 and November 16, 2020 meetings as presented. Roll Call Mr. Keltz – Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

**Public Comment** – Mr. and Mrs. Connors from Rosewood Hills presented information at the November 16, 2020 Board of Supervisors meeting and the Pool Encroachment Matter was tabled. Mr. Connors discussed that the matter was tabled last month as there was research required for the encroachment into the easement. The research was to focus who was in charge of the easement and the width of the easement and function of the swale were in question. Mr. Mahoney requested that Andrew Kraft read the plan note 29 that the easements were the HOA's responsibility and not the Township's. Mr. Kraft stated that Mr. Rhode was leaning last month towards the Home Owners Association responsibility. Mr. Mahoney stated that stormwater swale that was designed and installed may not convey water, but more fundamentally the easement is the right to use the land but is also a burden to maintain the easement. When the Rosewood Hills project was designed, these easements were created to handle stormwater. Here are the Procedures per Solicitor Mahoney, the permit was initially denied due to the encroachment in the easement which could obstruct the flow of stormwater, so a new submission should be submitted to the HOA, with a statement from the Connors that no stormwater is in the easement and any other language from the HOA and the Connors to the Code Department. Then the Code Official should look at the new application. Mr. Connors requested if the pool contractor could provide a letter stating no impact to the stormwater to the HOA would that be helpful as part of the permit package, and Solicitor Mahoney agreed all written support is helpful. Mr. Kraft will look for the revised application.

Glen Ridge Estates Phase 1B 60 Day MPC Extension – the Board of Supervisors may acknowledge the 60 day extension for the Plan. On Motion by Mr. Keltz, seconded by Mrs. Scull to acknowledge the 60 day time extension for the Glen Ridge Estates Phase 1B Final Plan until **March 13, 2021**. Roll Call Mr. Keltz – Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

Mr. Margusity stated that he does not think the plans will take as long as March 13, 2021, and he requests the Solicitor begin on the plan documents. He will also work with Scott Anderson on the Phase 1B escrow amount for the new Bond. Mr. Mahoney has no problem in starting the new legal documents, and he will coordinate with Attys. Mooney and Bellwoar as to who starts the legal plan documents.

**Glen Ridge Estates Pump Station Matter:** Mr. Mahoney requested from Mr. Margusity what is he looking for from the Supervisors tonight. Mr. Margusity stated that the shop drawing review process is taking a longer timeframe due to COVID and he is hopeful that the Pump Station is on-line by early February since Berks Homes has potential settlements. Mr. Margusity had contacted the Township Manager concerning using the wet well temporarily as a Holding Tank for the sewage from some of the new homes since there are settlements scheduled in February 2021. Mr. Mahoney stated that the Board of Supervisors decision has already been approved with conditions including an 537 Planning Module which requires a pump station and an inter-municipal agreement with the WWTP municipality. Since the decision has been made by the BOS and there is no revision in front of the BOS for an amendment to the Act 537 Plan. Additionally, the Building permits contained a disclaimer that the Certificate of Use and Occupancy will not be issued until the Pump Station is operational. There was no appeal by Berks Homes on the building permit disclaimer. Mr. Margusity accepts the decision and will make sure Fabcrete gets the Pump Station done and on-line.

**2. Tax Collector** – Mrs. Boyer presented her November Tax Collection Report and for the month of November she collected \$10,090.12.

**3. Wernersville Public Library** – Leigh-Anne Yacovelli presented her report but overall circulation is down only a little bit but the wireless increased. The Borough is permitting the external WIFI through the program under 501C.3 which is free for the users near the Library, and the users are not in the library but at outside WIFI hot spots. She is hopeful to create a presence at the Township Building and the \$2.50 allows the County to match. A petition and letter were sent to the Township. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson, approve the revised Library donation in the amount of \$13,783 for the 2021 Budget which represents \$2.50 per capita. Roll Call Mr. Keltz – Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

**4. Fire Commissioner** – Jared Renshaw was present and he highlighted their weekly COVID meetings information training with EMS and the Hospitals and Fire Departments analyze numbers and trends and the PA Department of Health information. They have an Intern who is a senior at Wilson High School at the WBFD who works 3 hours a day 5 days a week and he will be wrapping things up in May 2021. Mr. Keltz asked what the intern does and Mr. Renshaw stated he is in the Fire Training classes, truck checks, and some responses.

**5. Emergency Management Coordinator (EMC)** - The Emergency Management Coordinator Justin Schlottman said November was quiet. December Winter Storm Gail and the Road Crew did a fantastic job. There are small business loan applications he has for the August Storm Damage. The Winter Storm Gail Disaster Declaration was sent to Berks County. Mr. Schlottman has the form and will forward to Ms. Stevens.

**Winter Storm Gail Township Declaration of Emergency.** The Township following the Governor's State Declaration of Emergency declared the Lower Heidelberg Township Declaration of Emergency starting on December 16, 2020. This will permit the Township to submit for state reimbursement related to the costs associated with the Township's response to Winter Storm Gail similar to Winter Storm Jonas in 2016.

On Motion by Mr. Keltz, seconded by Mrs. Scull to ratify the Declaration of Emergency in response to **Winter Storm Gail** which started on December 16, 2020 and will remain in effect for thirty (30) days. Roll Call Mr. Keltz – Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

***Question for the Supervisors Shall the Emergency Declaration that was extended until the Supervisors vote to end the Declaration stay in place? Board to discuss if remains in place.*** Mr. Keltz said to keep the declaration going and Mrs. Scull and Mrs. Johnson also agreed.

**6. Ambulance** – The Ambulance Director to present his Report. Ms. Stevens highlighted that there were 38 incidents for November with 25 transports and 5 incidents during 8am with this being the busiest time this month.

**7. Planning Commission** – Ms. Stevens summarized the December 14, 2020 Planning Commission Meeting was held and the Grande Cacoosing Crossing North Phase 2 Final Plans, the Penn Ave Car Wash Plans and the Legacy at the Paper Mill were discussed but no action was taken on any of the plans except for Waiver recommendations for both the Cacoosing Crossing North Phase 2 and for the Penn Avenue Car Wash Plans. The Planning Commission Agenda was included as part of this meeting Packet. Mr. Mahoney agreed to keep the waivers when the final conditional approvals are acted on.

**8. Building/Zoning** – Mr. Andrew Kraft noted that they issued 28 permits for a construction value of \$2,193,354.00. There were 3 zoning issues, 9 Property Maintenance issues, and the Zoning Hearing Board had 2 Hearings, one at 98 Connecticut for a Shed, and the other at 4156 Hill Terrace for Pool and Patio setbacks. Mr. Kraft reviewed several plans for the Planning Commission Meetings and the rentals are slow going but only one rental not registered.

**9. Engineers** – Mr. Anderson presented Kraft Engineering Report and Mr. Anderson discussed the five (5) Escrow Releases as follows: CCN Ph1 #10, GVEW PH 1 #9, GVEW Ph2 #9, Glen Ridge Estates Phase 1A #1, and Glen Ridge Estates Townhouse Phase #1.

**9A.** Mr. Anderson highlighted the Release No. 17 request for Century Land Development Legacy at the Paper Mill Phase 1 in the amount of \$209,105.06 with over \$100,000 of retainage still remaining and will be rolled into Phase 2. Mr. Anderson recommends the release. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson approve Escrow Release No. 17 for Century Land Development Legacy at the Paper Mill Phase 1 in the amount of \$209,105.06, and authorize the Manager to send the documents to the Surety/Bonding Company. Roll Call Mr. Keltz – Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

**9B.** Mr. Anderson recommends the Release No. 10 for Grande Cacoosing Crossing North Phase 1 in the amount of \$44,883.45 for sidewalks and Driveways. **On Motion** by Mr. Keltz, seconded by Mrs. Scull approve Escrow Release No. 10 for Grande Cacoosing Crossing North Phase 1 in the amount of \$44,883.45, and authorize the Manager to send the documents to the Surety/Bonding Company. Roll Call Mr. Keltz – Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

**9C.** Mr. Anderson stated that there is a concern for the Pond Conversion and recommends the approve Release No. 8 for Grande Green Valley Estates West Phase 1 in the amount of \$34,051.50. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson approve Escrow Release No. 8 for Grande Green Valley Estates West Phase 1 in the amount of \$34,051.50, and authorize the Manager to send the documents to the Surety/Bonding Company. Roll Call Mr. Keltz – Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

**9D.** Mr. Anderson recommends the approval of Release No. 8 for Grande Green Valley Estates West Phase 2 in the amount of \$49,529.79. **On Motion** by Mr. Keltz, seconded by Mrs. Scull approve Escrow Release No. 8 for Grande Green Valley Estates West Phase 2 in the amount of \$49,529.79, and authorize the Manager to send the documents to the Surety/Bonding Company. Roll Call Mr. Keltz – Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

Per Solicitor Mr. Mahoney need a Motion to collectively modify the previous motion and Mrs. Johnson and Mr. Keltz and all approved the modification of the Motion to clarify Green Valley Estates **West**.

**9E.** Mr. Anderson highlighted this request includes the box culvert, road and infrastructure for the main road approve Release No. 1 for Glen Ridge LLC Glen Ridge Estates Phase 1A in the amount of \$551,221.50. **On Motion** by Mr. Keltz, seconded by Mrs. Scull Escrow Release No. 1 for Glen Ridge LLC Glen Ridge Estates Phase 1A in the amount of \$551,221.50, and authorize the Manager to send the documents to the Surety/Bonding Company. Roll Call Mr. Keltz – Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

Mr. Pruztman discussed that there is activity at Paper Mill Estates with Lot 1 currently has the foundation and framing completed, and Lot 2 now has been surveyed and the drain field and well have been staked out.

#### **10. Recreation Board Update - No Update**

**11. Police Department** - The Police Department Report was summarized by Officer in Charge Detective Sgt. Stouch. During Winter Storm Gail there were no accidents and great job by the Road Crew, the Shop with a Cop postponed due to the Winter Storm Gail until next year. There will be Roving DUI checks and other safety checks for the next 2 weeks. He would like to thank Mr. Kurtz for the snacks and contributions to the Police Department.

**11A. The K-9 Contract** to be approved for 2021. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson, approve the Township entering into the K-9 Maintenance Training Agreement with Progressive K-9 Academy for 2021 in the amount of \$1,750.00. Roll Call Mr. Keltz – Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

**11B. A Memorandum of Understanding concerning Personal Time:** Mr. Keltz stated there was a Memorandum of Understanding to be discussed with the Board of Supervisors concerning the Police Personal Time usage as several Officers were not able to use their personal time in the calendar year of 2020 due to the staffing challenges during 2020. Ms. Stevens recommends the Board of Supervisors enter into a Memorandum of Understanding permitting the officers to carry over the personal time that was not used in Calendar Year 2020 to Calendar Year 2021 with the condition that unless there are again unusual events that cause staffing challenges, the personal time is to be used in Calendar Year 2021. **On Motion** by Mr. Keltz, seconded by Mrs. Scull, approve the Memorandum of Understanding concerning Calendar Year 2020 personal paid time off will be carried over to Calendar year 2021 with the understanding it shall be used before the end of 2021. Roll Call Mr. Keltz – Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

**11C. Workplace Training for all Employees:** Mr. Keltz stated Solicitor Chris Gerber has submitted a proposal on work place training that all employees and elected officials will be required to attend. At this time, we are planning on doing the training via the Zoom platform. The training session should last one hour per each group. We are not certain how many sessions will be required; therefore, Solicitor Gerber is submitting the proposal as a flat rate per training session. Ms. Stevens will try to minimize the number of sessions. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson, approve the Township accepting the Siana Law Proposal for **Workplace Training** at a flat rate of \$600 per initial training session and \$200 for additional training sessions. Roll Call Mr. Keltz – Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

**12. Road Foreman** – Matt Clay presented his Report. The Crew finished blacktop on Old West Penn, leaf pick up, installed snow fences and prepped for the Winter Storm Gail. Mr. Clay will notify Ms. Stevens about Salt usage for the Winter Storm Reimbursement. January 11<sup>th</sup> is set for Christmas tree pickup, with no lights, no ornaments and no tree stand. Mr. Keltz stated that the Road Foreman Clay would like authorization to purchase **Street Name Signs** as part of the Program to change all Road Name signs out to 6" high lettering. The purchase exceeds the spending thresholds previously discussed. **On Motion** by Mr. Keltz, seconded by Mrs. Scull, approve the purchase of Street Name signs in the amount of over \$2,000. Roll Call Mr. Keltz – Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

#### **Manager/Secretary/Treasurer/Sewer Engineer**

**13. and 14. Bill List and Treasurers Report:** **On Motion** by Mr. Keltz, seconded by Mrs. Johnson, approve just the Treasurer's Report, as the Bill Lists were not available, and to file the Treasurers Report for Audit. Roll Call Mr. Keltz – Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

**15. Finalizing the Draft 2021 Budget to be discussed by the BOS:** 2021 Budget General Fund = \$5,000,000, Sewer Fund = \$799,435 and Liquid Fuels Fund = \$197,035 for a Total 2021 Budget of \$5,996,470. *Please note there is no proposed increase in the Township Taxes.* The Library Donation was previously discussed to be modified. The amounts in the Draft Budget that required adjustment included the Property/Vehicle/Equipment Premium which moderately increased, the Public Officials Liability which slightly increased, the Law Enforcement Liability which slightly increased and the Workers Compensation which remained as budgeted and the budget line items were not over 25%. To avoid changing the General Fund Budget, the Police Chief longevity and Chief wages were adjusted to compensate for the increases in the Library Donation and Insurance Premiums. **On Motion** by Mr. Keltz, seconded by Mrs. Scull, approve the Final 2021 Budget, adopt Resolution **2020-26** the 2021 Tax Resolution, and adopt Resolution **2020-27** for the 2021 Trash and Recycling fees, and authorize the Manager to submit all of the County/Local Tax forms to the County Treasurer, and DCED. Roll Call Mr. Keltz – Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

**16. Health Reimbursement Account** – Ms. Stevens discussed she needed authorization to execute the Benecon Forms to establish a Third Party Health Reimbursement Account for the employees to submit their health care related reimbursements and eliminate the Flex Reimbursement through the Township. The annual administration expense to transition this to Benecon is around \$1,000. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson, authorize the Manager to execute the Health Reimbursement Account Benecon Forms whereby approving the enrollment of all employees participating in the Benecon Healthcare Plan starting January 1, 2021. Roll Call Mr. Keltz – Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

**17. Shared Organic Site Agreement:** Ms. Stevens stated the new Shared Organic Site Agreement will start January 1, 2021. This new agreement also reflects the new changes in the access to the Site. Mr. Mahoney said the form is acceptable and Kozloff Stoudt did a nice job preparing the Agreement. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson, authorize the Manager to execute the **Shared Organic Site Agreements** whereby approving the enrollment of Lower Heidelberg Township and residents who apply for access cards with the new Agreement starting January 1, 2021. Roll Call Mr. Keltz – Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

**Solicitor** – Mr. Mahoney had nothing else to add as everything in his Report was previously covered in the meeting. Presented the information concerning the 2021 Budget and the new bidding threshold for 2021 in the bidding amount will be increased to \$21,300 and the telephone quotes increased to \$11,500. The property at 333 N. Church has a Hearing scheduled with Judge Young on January 7, 2021, and Mr. Bellwoar will attend the Hearing.

Mr. Mahoney brought up the matter of increasing the hourly wage of the Officer in Charge and has a motion for the Supervisors to consider. Is there a Motion to approve a draft Memorandum of Understanding providing for additional compensation of the Police Department Officer in Charge in the additional compensation amount of \$1 per hour, to be made effective upon placement of signatures of a majority of the Board of Supervisors, and only after notification of an agreement to the terms of the Memorandum by the Police Association collective bargaining unit, and modified to be retroactive to when he began his duties? **On Motion** by Mr. Keltz, seconded by Mrs. Johnson. All 3 approved.

**New Business – Wilson School District Student Letters:** Several Students submitted letters to the Supervisors on topics of solving a problem that is important to them. The topics include Recycling Food Waste, Littering along the Township and State Roads, Speed Bumps in Green Valley Estates, and Proper Residential Recycling. Board of Supervisors to discuss these Letters and Topics and direct the Manager accordingly.

**Reorganization Meeting time to be discussed on January 4, 2021.** Last year we held the Meeting at 10:00 a.m. which permitted our consultants that needed to attend to be present. **On Motion** by Mr. Keltz, seconded by Mrs. Scull to authorize the Manager to advertise the January 4, 2021 Reorganization meeting for 10:00 a.m. that Monday morning to ensure that our consultants can attend. Roll Call Mr. Keltz – Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

Continued New Business: ON-LOT SEWAGE MANAGEMENT PROGRAM DEFERRAL OF PUMPING REQUESTS - Ms. Stevens summarized James Bowman requests a deferral for 1105 Brownsville to have the tank inspected and pumped in 2023. Justification – The trailer at this address has been vacant since 2018. Louise Rick requests a deferral for 931 N. Church to have the tank inspected and pumped in 2023. Justification – Louise is the only person living at the 931 N. Church property. **On Motion** by Mrs. Scull, seconded by Mr. Keltz, approve the septic pumping deferrals for 1105 Brownsville Road and 931 N. Church Road to year 2023. Roll Call Mr. Keltz – Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

**Public Comment:** Mr. Kurtz discussed in Green Valley West there is a spot light that shines into the driver's eye. Andrew Kraft stated that he would like to see Mr. Kurtz reappointed for the Zoning Hearing. Great Job for the 2 new members and Atty. Rothermel is also doing a great job for the Zoning Hearing.

Allison Plevrakis, Treasurer for the Library, thanked the Board for the increase to \$2.50 per capita and if anything changes in 2021 she appreciates any additional support.

Mr. Melson had various questions on the 2021 budget and Ms. Stevens was able to clarify some of the questions. The budget line adjustments were focused on taking adjustments from the Chief's longevity and the Chief's wages for balancing the Library Donation and the increase in Insurance Premiums. Ms. Stevens will follow up with Mr. Melson after the meeting.

Mr. Prutzman asked for clarifications on the bills to be paid. Ms. Stevens clarified that the Bill lists are being provided monthly. Mr. Mahoney stated they are a policy matter, and all 3 Supervisors want the bill lists to be provided to the public for transparency.

**Adjournment On motion** by Mr. Keltz and seconded by Mrs. Johnson at 8:23 p.m. to adjourn and all concurred. Roll Call Mr. Keltz – Yes, Mrs. Scull – Yes, and Mrs. Johnson – Yes. Motion passed unanimously.

Respectfully, Pamela J. Stevens, Manager Secretary Treasurer

BOS Approved  
1/18/2021