

**Lower Heidelberg Township Board of Supervisors
BOS Minutes – Virtual Meeting - Regular Meeting
April 19, 2021**

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 Chairperson Deborah P. Scull, Vice-Chairwoman Cheryl Johnson, and Member Michael Keltz, Township Solicitor Andy Bellwoar, Township Engineer Ryan Rhode (KE), Zoning and Code Officer represented by Ryan Rhode, 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, Emergency Management Coordinator Justin Schlottman, Planning Commission Chairman Dean Hartman, and for the refinancing discussion Jaime Schlesinger, and for the Commercial Uses Zoning discussion, Casey Deller, Tom George and Doug Pugh. Guests attending David Kurtz, Tom Jauch, Paul Prutzman, George Lehner, and Brian Szabo.

Mrs. Scull opened the meeting at 7:02 and led the pledge of allegiance. She announced that an Executive Session was held on April 14, 2021 to discuss personnel matters.

1. No minutes were available to be approved.

Public Comment – Refinancing 2016 Bonds and New Money Presentation by Jaime Schlesinger from PFM.

Mr. Schlesinger from PFM discussed the potential refinancing the 2016 Bonds now that the Township may have financial needs and the market is good for borrowing with the extremely low interest rates. Mr. Schlesinger summarized the interest rates decreased due to COVID. The Market seized for about a month, and the economic conditions have made the municipal bonds a great investment and his company is very busy. We are not quite yet at the Bond Call date but by the time everything is prepared, the bond call date will be well past. Currently the Township pays approximately 430,000+ per year. What savings can be seen by just refinancing are not significant; however if borrow new money, the incremental impact to the rate payer is less since it is over a period of time. Look at the New money column of \$5 mil, which is a traditional level structure given the current market and would be an additional \$280,000 in the red column. Blue column has the \$5 mil but since it is a wrap-around structure we can amortize most of the principal and then latter part of the years is about \$130,000 less than the standard loan. More interest in the long run but the debt service stays the same for the life of the New Bond. The debt service staying the same or similar amount is easier for a municipality to budget. The New money must be spent in 3 years, and Mrs. Scull asked for clarification. Mr. Schlesinger responded that a reasonable expectation to spend 85% of the money but it is a reasonable expectation. He knows that sometimes projects are finalized in the fourth and fifth years, so they will track the interest rates, and make recommendations. Mr. Bellwoar asked about the time frame and Mr. Schlesinger said in the first 6 months spend 5% and then 1 year 15%, and then most of balance must be spent in the 3 years. Infrastructure improvements that are needed in the next 3 years and not in 5 to 10 years. Mr. Schlesinger noted that the Bond requires that the projects are for the useful lives of the roads and bridges, so timing and useful life and must meet IRS criteria. Mr. Schlesinger can get the process started as it takes time and the decision does not need to be made tonight. Mrs. Johnson said that the last bond of \$3 mil was not even enough. Ms. Stevens discussed the stimulus money and the Township expects to spend this money on the sanitary sewer and other underground repairs in advance of the Infrastructure projects.

Mr. Schlesinger notes that the Township can pay back if they do not spend all of the money but it sounds like the Township has identified the projects. Mr. Schlesinger then discussed the timeline on page 4 of the Handout. Mr. Schlesinger summarized the schedule and the next BOS meeting is the May 17th Board that PFM would need to do a final presentation. The structure would be on the conservative side and may look like more money, but the market should drive the interest rates lower than the conservative presentation. Ultimately will lock in to an interest rate, but if the market does not look good, the Township can hold off. Mr. Bellwoar clarified that the May 17th BOS Meeting would be where the BOS would truly lock in the rate. Per Mr. Bellwoar, the Township needs Bond Counsel, and Mr. Schlesinger is recommending to use the counsel from the last Bond. The Parameters Ordinance is when the actual rate is locked in. Mr. Keltz stated clearly that we can't come up short as College Ave, Stitzer Ave and Saddlebrook really need attention. Mr. Keltz is leaning towards the \$5mil to avoid the issue that happened last time. Mr. Clay asked about the difference in borrowing and the new debt increases by \$160,000 per year. Discussion on Liquid Fuels and road improvement tax and Ms. Stevens noted that the incremental increase of the debt service for a \$200,000 assessment is approximately \$92 per year. Mr. Prutzman asked what was the previous Bond, what is the new money. Mr. Schlesinger summarized that the borrowing was about \$7 mil and the new money was \$3 mil and the balance was refinancing existing debt; and what is left to pay back is about \$6mil. Mr. Schlesinger clarified that all of the money has been spent from the 2016 Bond. Mr. Schlesinger clarified that a separate Bond Counsel is needed. From a timing standpoint, the choice would be needed as soon as possible for Bond Counsel. He used Tim Anderson and since he is familiar with Lower Heidelberg it is better using the previous Bond Counsel. All 3 Supervisors are fine with Tim Anderson. Mr. Prutzman asked what happens in years 2035 and 2036 and Mr. Schlesinger noted that the wraparound is what makes the difference and keeps the payment the same amount to budget. Mr. Schlesinger would let Mr. Anderson know about the BOS's decision. The Ordinance Advertisement needs to be a minimum of 3 days before the BOS meeting, so immediately after the Workshop Ms. Stevens will advise Mr. Schlesinger of the amount, and then the Ordinance will be advertised.

Public Comment – Commercial Uses Zoning District Discussion for Parcel on Penn Avenue between Palm and Big Spring Roads: Casey Deller from KCI Technologies is here on behalf of the developers Doug Pugh and Tom George, and he has conceptual sketches showing commercial uses on the Property at the intersection of Big Spring and Penn Ave, which is just across L&B Dodge. Mr. Deller continued that the property is approximately 11 acres but is bisected by a creek. It is currently zoned Industrial I-1. The Group has been doing some research for potential uses. In their analysis of the property which appears fairly sizeable but unfortunately there is a large floodplain that is shown on the Concept Sketches. Ballpark the floodplain takes up 30% of the parcel and with all of the regulations, they want to stay out of the floodplain as much as possible. There are 3 sketches with the left hand side is consistent on all 3 sketches, but there is nothing under Agreement and are uses all speculative. Hopefully these concepts will carry some weight and spark interest. Convenience store concept is fairly consistent with all of the standard amenities and they are hopeful that they can secure a contract with a convenience store tenant. The right hand side of the property is the where there is some use flexibility. On the First sketch the right hand side reflects a 33,000 retail strip mall use and they tried to follow the Zoning Ordinance requirements for each proposed use. The convenience store would have one driveway off of Penn Avenue and two off of Big Spring. The Retail strip mall access would be primarily off Penn Ave. The Second Sketch reflects storage units for RV's, vehicles and this proposed use would have the least impact to the Township. The Third Sketch reflects a Medical Office and this will probably lean towards medical and not office medical. Potential Uses will provide for a tax base for the Township and benefits to the Township residents.

The challenge they are looking at is the Zoning District and the I-1 does not allow Commercial type uses and truly are focused on manufacturing and warehouse. The floodplain seems to prohibit the Industrial type user since the parcel size becomes smaller due to being bisected by the Creek and Floodplain. What they are looking for this evening for a Use Variance or a Zoning Amendment that would include all Commercial Uses in this District. They are not yet in the position to file a Variance since they do not have a tenant but would like feedback and look for support from the Board of Supervisors. Mrs. Johnson asked if the storage units would be climate controlled and Mr. Deller answered yes as there may be a demand. Mr. George answered they may all be set up to be climate controlled and see the demand but first start at 25% of the units. Mr. Pugh responded that he did not think that the property needs to be subdivided, as they would own the property, and they should be able to comply with the Zoning District without subdividing. Mr. Pugh noted that if the tenant did want a ground lease and wanted to own then they would need to subdivide, but that's down the road. Mrs. Scull, Mr. Keltz and Mrs. Johnson all concurred with commercial uses. Ms. Stevens noted that there were several Zoning Variance granted for commercial so that there has been a form of precedence in the I-1 District. On Motion by Mrs. Scull, seconded by Mrs. Johnson to look into the Ordinance Amendment to add Commercial Uses to the I-1 District and forward to the Planning Commission to start the process. All 3 clearly stated an emphatic Yes!!!! Mr. Bellwoar and Ms. Stevens to work on the Ordinance with the Planning Commission.

2. Tax Collector – Mrs. Boyer presented her March Tax Collection Report and for this month she collected \$450,833.73 and she had 45 people during her sitting time this morning.

3. Wernersville Public Library – Ms. Stevens summarized the Report and she included the statement in the e-mail from the Library Director that they have an external hot spot for WiFi thanks to a Grant and this hot spot will be permanent.

4. Fire Commissioner – Jared Renshaw was present and briefly presented his March 2021 report and asked if there were any questions and there were none.

5. Emergency Management Coordinator (EMC) - The Emergency Management Coordinator Justin Schlottman presented his March 2021 Report and during this month there was some weather but did not really affect the Township, and there was some training, continuity of operations and plan updates. He is keeping an eye on the outcome of the Chauvan Trial. No questions.

Still extended per Mrs. Scull that the Emergency Declaration is still extended until the Supervisors vote to end the Declaration stay in place? Board to discuss if remains in place.

6. Ambulance – The Ambulance Director was not present. Mrs. Johnson read the report for the meeting. There were 29 incidents for March with 18 transports and 7 PM being the busiest time this month.

Ms. Stevens asked the Board about the request from the Ambulance Association for additional sponsorship. The Board concurred to table the sponsorship question from WBAA and put on the next meeting and get budget numbers to the Board.

7. Planning Commission – There was a Planning Commission meeting on April 12, 2021 and there were 2 Plans discussed: Performance Toyota Service Center Expansion and Cacoosing Crossing North Phase 2 Final Plan. There was no action taken by the Planning Commission for either Plan. The April Agenda is included in the Board Agenda Packet.

7A. The Planning Commission acknowledged the 90 day extension for the Penn Avenue Car Wash. On Motion by Mr. Keltz, seconded by Mrs. Johnson to acknowledge the 90-Day MPC Extension for the Penn Avenue Car Wash which will extend the MPC Plan Review to August 5, 2021. Roll Call Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes. Motion passed unanimously.

7B. Wilson School District School Zones and the School Warning Devices (Flashers) Update: Penn DOT, approved the amended Permit Plan for the School Zones that reflected the new road in Cacoosing Crossing North Phase 2 named Mahogany Drive which permit plan included all required signage. Additionally the Township is in the process of finalizing the Memorandum of Understanding for the operation and maintenance responsibilities of the School Warning Devices, Signs and Pavement Markings.

7C. Blighted Property Action by the Planning Commission. The County Redevelopment Authority requested that the Planning Commission discuss the property located at 333 N. Church Road which was determined to be blighted by the County Blight Committee. At the April 12, 2021 Planning Commission meeting, the Planning Commission discussed the property and made a motion that agreed with the County that the property was a “blighted” property and the appropriate reuse is residential which is in conformance with the Future Land Use Exhibit in the Joint Comprehensive Plan. Ms. Stevens was directed to send the letter to the County Redevelopment Authority with the Planning Commissions’ opinion. The letter is made part of the Board packet.

8. Building/Zoning – Mr. Rhode noted that they issued 28 permits for a construction value of \$2,193,354.00. There were 15 zoning issues and PM issues and 63 Inspections. Mr. Kraft reviewed the rental program and Rentals are slow going but only one rental not registered.

8A. David Thun Variance for Zoning Hearing Board: A Variance was received for the Thun property at 67 Evans Hill to subdivide 4.706 gross acres off of the 66.88 acre Farm. The Variance is required as the proposed lot size is greater than the 2 acre maximum. The Hearing is scheduled for April 20, 2021 at 6:00 p.m., and will be continued to May 25, 2021.

9. Engineers – Mr. Rhode presented Kraft Engineering Report and there were no actions items and issues covered under other reports.

9A. Little Cacoosing Creek NPDES Update: Ms. Stevens stated that a Zoom Meeting was held to request PA DEP’s support of the Little Cacoosing Creek Restoration Project, and to substitute the Project in place of the 2017 Pollution Reduction Plan prepared by GV Consultants. PA DEP was in agreement with the request.

10. Recreation Board Update: Mrs. Scull stated that the Phillies Game will be month to month, Movie night is scheduled for Friday, May 21, 2021 with a rain date of May 22, 2021; and the Shredding date is on June 12, 2021 between 10:00 a.m. to 2:00 p.m., and is free and sponsored by VIST.

Additionally Movie Night is to be behind Stereo Barn with some free food as well as bring your own food. Most of the people should sit on the Hill at Community Evangelical. No Update

11. Police Department – OIC Stouch was present and no questions on the Report. The Police Department Report was summarized by Officer in Charge Detective Sgt. Stouch.

11A. Pension Audit for 2017 to 2020 is in Process: Due to COVID, many Audits are well behind. The Township was contacted by the Auditor General's Office to begin the Pension Audit for the past 4 years. Mrs. Scull read the Pension statement.

12. Road Foreman – Matt Clay presented his Report. Working on repairs to vehicles. Trimming on Saddlebrook trees and checking MHs in Penn Werner conditions. Removed trees and replaced signs due to high winds. Repaired hydraulic cylinder on Forklift. Organic pickup started today and they should be complete soon and also working on Township Complex landscaping.

12A. Resignation of David Scholl: Mr. Scholl handed in his Resignation for his last day to be April 5, 2021. The Township Supervisors should ratify their acceptance of his resignation. **On Motion** by Mrs. Johnson, seconded by Mrs. Scull accept the resignation of Dave Scholl from the Road Crew as of April 5, 2021. Roll Call Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes. Motion passed unanimously.

12B. County Roadway Salt Order: The Bid forms for the County's 2021-2022 season of supplying Highway Salt were submitted for Lower Heidelberg for 600 Tons. The Road Foreman should have 3 sources of obtaining Highway Salt for the 2021-2022 Season, County, State and Municipal Bid.

Manager/Secretary/Treasurer/Sewer Engineer

13. and 14. Bill List and Treasurers Report: The Bill Lists are for the March/April 2021. **On Motion** by Mrs. Scull, seconded by Mrs. Johnson, approve the Bill List and Treasurer's Report, and to file the Report for Audit. Roll Call Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes. Motion passed unanimously.

15. Seasonal Bidding: Paving Material Bid Results. **On Motion** by Mr. Keltz, seconded by Mrs. Scull, authorize the Manager to complete all of the Contract Documents to Award the Seasonal Paving Materials Bid to New Enterprise, the low bidder. Roll Call Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes. Motion passed unanimously.

16. HVAC Annual Maintenance Proposal from Burkhardt Mechanical: A Preventative Maintenance Proposal for the HVAC Systems at the Township Complex was submitted by Burkhardt Mechanical in the amount of \$6,270.00. **On Motion** by Mrs. Scull, seconded by Mrs. Johnson, approve the Preventative Maintenance Proposal from Burkhardt Mechanical in the amount of \$6,270.00. Roll Call Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes. Motion passed unanimously.

17. Center for Excellence in Local Government (CELG) Request for Additional Sponsorship: CELG submitted a letter to Ms. Stevens requesting the consideration of additional sponsorship. The Board of Supervisors decided to table the CELG request for additional sponsorship.

18. Resolution for Municipal Shredding – The Board needs to adopt a Resolution to approve of the shredding of the non-permanent administrative records as outlined in the Resolution 2021-15. **On Motion** by Mrs. Johnson, seconded by Mrs. Scull, approve the adoption of Resolution 2021-15 to confirm the shredding of the listed municipal documents Roll Call Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes. Motion passed unanimously.

19. Stratix Server Quote: The Township's server is now out of warranty, the Police Firewall needs to be renewed and the Police Datto Back-up needs to be replaced. Stratix submitted quotes to replace the Server in the amount of \$14,896.00, Police Firewall Renewal in the amount of \$396.00, and the Police Datto Back-up Replacement in the amount of \$395.00. Stratix is CoStars approved. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson, approve the three (3) quotes from Stratix for the Township Server in the amount of \$14,896.00, Police Firewall in the amount of \$396.00, and the Police Datto Back-up in the amount of \$395.00. Roll Call Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes. Motion passed unanimously.

Mr. Prutzman asked about the server status and Ms. Stevens noted that the Server is totally out of warranty and needs to be replaced or else there could be problems with the Township's information due to the Server's status.

20. Contingency Accounts: These accounts were merged into the General Fund Balance. While reviewing the Resolution 2017-08 that created the Contingency Accounts, and discussing the issue with the Accounting Firm, Herbein, and the Financial Administrator they are suggesting that these accounts be setup in a checking account. The BOS should discuss authorizing Ms. Stevens to move the 6 contingency accounts along with the Impact Fee revenue to the existing First National Bank Money Market Checking Account, to authorize Ms. Stevens to be a check signer, and to require the checks have two (2) signatures. The amount to be transferred is just under \$360,000.00, and includes the Impact Fee amount of \$80,000, the Highway Salt amount of \$50,135, the Building Maintenance amount of \$55,833, the Road Vehicle Purchase amount of \$40,833, the HVAC Replacement amount of \$55,833, the Police Vehicle Purchase amount of \$40,833, and the Flooring Replacement amount of \$35,833. **On Motion** by Mrs. Scull, seconded by Mr. Keltz, approve the movement of the Impact Fee Revenue and the six (6) Contingency Accounts for Highway Salt, Building Maintenance, Road Vehicle Purchase, HVAC Replacement, Police Vehicle Purchase, and Flooring Replacement; and the Adoption of Resolution 2021-16 for First National Bank records to authorize Ms. Stevens to become a check signer and to require two (2) signatures on the checks. Roll Call Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes. Motion passed unanimously.

21. Bookkeeper Advertisement: Mrs. Connors is trying to finally retire from Lower Heidelberg and the Township would need to replace Mrs. Connor with a Part-time Bookkeeper. The amount of hours would be approximately 20 hours per week, the wage should be in the range of \$20.00/hour, and the position would be without any benefits. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson, approve the Advertisement for a Part-Time Bookkeeper position. Roll Call Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes. Motion passed unanimously.

Solicitor - The Solicitor did not have anything to present for his March 2021 Report.

Old Business - None

New Business

22. County UCC Appeals Board Intergovernmental Agreement: Ms. Stevens stated that the Township will be required to enter into an Intergovernmental Agreement to have the County provide the UCC Appeals Board services and the Agreement must be done by adopting an Ordinance. Does the Board want to proceed or create their own Appeals Board? Mr. Bellwoar stated that it makes sense for \$300 to join the County Appeals Board. He believes that the State changed the law and that the Agreement may be adopted by Resolution instead of an Ordinance. Mr. Bellwoar will do more research and Ms. Stevens will get him additional information.

Public Comment

Adjournment **On Motion** by Mrs. Scull and seconded by Mr. Keltz at 8:55 p.m. to adjourn and all concurred.

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

BOS Approved 5.17.21