

**Lower Heidelberg Township Board of Supervisors
BOS Minutes – Virtual Meeting - Regular Meeting
May 17, 2021**

The Lower Heidelberg Township Board of Supervisors held their monthly meeting remotely through the Zoom Platform on the above date. The May 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 Glenn Kraft, Road Foreman Matt Clay was not present, Detective Sgt. Christopher Stouch, and Township Manager/Secretary/Treasurer Pamela J. Stevens. Also present were Tax Collector Sharon Boyer, Library Director Leigh-Anne Yacovelli, Fire Commissioner Jared Renshaw, Emergency Management Coordinator Justin Schlottman, and for the refinancing discussion Jaime Schlesinger and Tim Anderson, and for the Performance Toyota Joe Mina and Dave Morgan, and for Cacoosing Crossing North Phase 2 Scott Miller, and Guests Rich and Gloria Jones, Don Arnholt, David Kurtz, Tom Jauch, Paul Prutzman, and George Lehner.

Mrs. Scull opened the meeting at 7:01 and led the Pledge of Allegiance and she requested that all remain standing after the Pledge to honor Cody Gipprich a Western Berks Authority Employee who tragically passed away in a work accident.

Mrs. Scull announced that Executive Sessions were held on April 28, 2021 and May 12, 2021 to discuss personnel matters.

1. Minutes: The minutes from the March 10, 2021 Workshop, March 15, 2021 Regular Meeting, March 29, 2021 Special Meeting, April 19, 2021 Regular Meeting, and April 28, 2021 Special Meeting will be considered for approval, and were distributed to the Board of Supervisors prior to this meeting. No questions. **On Motion** by Mrs. Scull, seconded by Mr. Keltz, approve the minutes for the March 10, 2021 Workshop, March 15, 2021 Regular Meeting, March 29, 2021 Special Meeting, April 19, 2021 Regular Meeting, and April 28, 2021 Special Meeting as presented. Roll Call Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes. Motion passed unanimously.

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

Mr. Schlesinger gave a summary of the history of the current market and the 2016 Bonds debt refinancing. Timeline is good and currently pay \$460,000 annually. Considering borrowing additional money with a wrap-around option and the budgetary impact is around \$140,000 more per year. Debt Service was initially assumed at 0.001575 mils but this will be lower since the amount borrowed is a little less than previously analyzed. . Mr. Prutzman asked if Mr. Schlesinger reanalyzed the 20 year vs. 24 year to save on interest and Mr. Schlesinger stated it would cost about \$75,000 to \$80,000 more per year. Mr. Schlesinger continued that the Supervisors want to keep the taxes as low as possible and they were not interested in more per year as these bonds could be restructured in 5 years. Parameters Ordinance was advertised at a maximum of \$12.5 million but the final amount will be around \$10 million. Per the Debt Act there are items that need to be met and if during the Bond Sales the numbers are not favorable, then the Bond Counsel can cancel, but if not then they will file with DCED and go to settlement in about one month, and the proceeds would be available in another month or so from the sale. Mr. Schlesinger reviewed the backup schedule and information, and the yield will be at this point 1.77%.

Bonds Continued: Mr. Schlesinger noted that currently the Township has an AA- rating. With the current market, he is confident the Bonds will sell as his company is preparing numerous Bond Refinancing for many municipal clients. No Questions from the BOS. Mr. Schlesinger stated that he will work with Ms. Stevens on the credit rating and other items he will need, but he does not need anything else from the BOS at this time except the advertisement of the Ordinance. **On Motion** by Mrs. Scull, seconded by Mrs. Johnson, approve the adoption of the Parameters Ordinance and authorize to be advertised. Roll Call Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes. Motion passed unanimously.

Public Comment – B. Fence Easement Encroachment at 15 Timberlake: Don Arnholt attended the meeting to discuss the proposed encroachment of his fence into the drainage easement at his property located at 15 Timberlake. He had talked to Glenn Bertolet about a privacy fence. He is looking to keep the fence just above the grass. Mrs. Scull asked about the removal of the fence and Mr. Arnholt said yes it can be removed. Mrs. Johnson has no issues with the encroachment. Ms. Stevens stated in the past the Township engineer gets a chance to review the encroachment. Mr. Rhode could not find the Subdivision Plan, so he asked Mr. Arnholt to explain where the fence would be in relationship to the plot plan. Mr. Rhode will look at the fence permit before the next meeting, and the Code Officer will review the permit application. It is anticipated that approval of the encroachment should happen at the June 21, 2021 Board meeting. Mr. Rhode will review the permit and get back to Mr. Arnholt if he has any questions since Mr. Arnholt will be out of town at the June meeting. Mr. Bellwoar will prepare the document in advance of the meeting and all 3 Supervisors agreed to the Easement Encroachment. Mr. Arnholt will submit the permit right away.

Public Comment Grande Basin Concerns: Mr. and Mrs. Jones at 107 Stella and have been there for around 5 years. They were assured that the basin would have trees, grasses and would not have standing water in the basin. It has had water in the basin for the past several years and it is not ever dry. It has algae and now there are snapping turtles. The children in the area are curious and they can get hurt by the snapping turtles. Mr. Rhode then summarized that he has been working with these residents for 2 plus years concerning this basin. Mr. Rhode explained that at first it was a sediment control basin and once converted the basin should have drained in approximately 72 hours. Now there is aquatic life in the basin. Grande has attempted to convert the Basin twice. Now that we are at the time of year where plants and grasses will grow, he contacted Grande again. The BCCD filed a violation last November 2020, and he has concerns that Grande will not make the appropriate resolutions to fix the Basin. He discussed the matter with the BOS at their Workshop and was given permission to research the Developer's and Stormwater Management Agreements. Mr. Bellwoar did research the Agreements, and Mr. Rhode would like to work with Grande for one more month to see if Grande can move forward with a resolution. Mr. Rhode's expectation is Grande would engage their engineer or another engineer to redesign the basin. He is hoping that Grande will start the redesign and coordinate with the Conservation District. If this does not happen before the next meeting, then he will talk to Mr. Bellwoar about moving forward with a legal process. Mrs. Scull asked Mr. Rhode to give Grande (Mario Cepeda) a timeline to respond and not wait a month. Mr. Bellwoar is ready to respond if Grande does not respond.

2. Tax Collector – Mrs. Boyer presented her April 2021 Report and she collected \$1,774,946.41 and as of today 90% of the taxes have been collected.

3. Library – The Library Director, Leigh-Anne Yacovelli presented her April 2021 Report. The numbers were down a little compared to last month but with the nice weather that is to be expected. She is also doing outdoor reading with the nice weather. She is now seeing more children now that restrictions are relaxing. Yoga is starting outside and you must have your mat and mask. There are hot spots being provided outside. They will be staying in masks for well into June in our building since the Borough has a mask policy so that extends to the Library. No questions from anyone.

4. Fire Commissioner - Fire Commissioner, Jared Renshaw presented his April 2021 Report. Activity Report for April was not too busy but in May there seemed to be several car fires. Starting in the next few weeks he will be off as they are expecting another child. No Questions, but Congratulations from the Board and several attendees.

5. Emergency Management Coordinator (EMC) – Justin Schlottman, the Emergency Management Coordinator presented his April 2021 Report, and not a whole lot happening and he is seeing weekly changes of COVID Regulations. Allowed to be in certain places without masks if vaccinated. County finally has a vaccine clinic at the Unclaimed Freight facility. Damage reporting has changed to virtually and when reporting he must take photos, and more photos. There are drones being purchased by other Agencies. West Side has used the Drone to protect their people in dangerous conditions. We would not need to enter into a Mutual Aid Agreement because he can ask for the Agency to come over with the Drone. He is looking to purchase an iPad, so he can report the emergency information on-line/virtual. He will research the iPad for next month, and Mrs. Scull will look into Verizon and he will look into First Net and compare costs.

Mrs. Scull again announced - The Pandemic Emergency Declaration is still extended for one more month until the Supervisors vote to end the Declaration possibly in June or July 2021.

6. Ambulance – Ambulance Director was not present his April 2021 Report. Mrs. Johnson read the Report that for April included 37 total incidents 12 ALS, 18 BLS and busiest time was 3:00 p.m. BOS should discuss the Request for Additional Funding that was tabled last month. Mr. Keltz no additional contribution for now and Mrs. Johnson wants to wait until 2022 budget is prepared.

7. Planning Commission – Mrs. Scull stated there was a Planning Commission Meeting on May 10, 2021 and there were 2 Plans discussed: Performance Toyota Service Center Expansion and Cacoosing Crossing North Phase 2 Final Plan. There was action taken by the Planning Commission for both Plans, and the May Planning Commission Agenda was included in the Board Agenda Packet.

7A. The Planning Commission recommended the Board consider approving the Performance Toyota Land Development Plan. Mr. Bellwoar prepared the Motion of Approval which would approve the Preliminary/Final Land Development Plan proposing to construct a 7,000 SF plus addition at their Service Bay side for improved automobile servicing. There are two waivers, one for Section 308 waiver for combining preliminary/Final Plan and Section 406 for and plan scale. Then there are two (2) deferrals for Sections 652 and 653 curb and sidewalk and the deferral note is now on the plans, so the Board is not waiving these items.

The Motion would cover the waivers, the deferrals and the conditional plan approval. Mr. Mina will be getting the plans ready for signature and then he will be coordinating with the Architect for the Building Permit submission. No questions. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson to conditionally approve the Performance Toyota Land Development Plan in accordance with the Solicitor's Motion of Approval. Roll Call Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes. Motion passed unanimously.

7B. The Planning Commission recommended the Board consider approving the Cacoosing Crossing North Phase 2 Subdivision Plan. Mr. Bellwoar summarized Phase 1 was approved many years ago and this is now for Phase 2 which will be for a Conditional Final Plan approval for 26 lots and also one waiver for Section 521.d lot width to depth ratio for Lots 7 through 11. Scott Miller thanked the Board as he was in attendance in place of Mr. Bensinger. No questions. **On Motion** by Mrs. Scull, seconded by Mr. Keltz to conditionally approve the Cacoosing Crossing North Phase 2 Subdivision Plan in accordance with the Solicitor's Motion of Approval. Roll Call Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes. Motion passed unanimously.

7C. Reaffirmation of 6841 Penn Avenue Land Development Plan (Weaver's): Mrs. Scull stated The 90 days since the August 17, 2020 conditional Final Plan Approval expired on November 15, 2020. Due to the Pandemic restrictions, Mr. Weaver postponed his relocation of his Service Facility until now. Ms. Stevens spoke with the County Planning Commission representative and the Reaffirmation letter needs to include the postponement due to the Pandemic. A reaffirmation letter can be written by the Manager to go along with the plans and documents to be recorded. The Board to concur with a Roll Call that the Manager may issue the new Reaffirmation Letter for the Brian Weaver Automobile Service Facility. Mrs. Scull made the motion and Mr. Keltz seconded for the reaffirmation letter roll call. Roll Call Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes.

8. Building/Zoning – Glenn Kraft, Kraft Code Services representative presented the April 2021 Report Activity and there were 54 permits issued for a construction value of \$5,527,126, 83 inspections performed, 15 CO's issued, 9 Property Maintenance complaints, and 6 zoning issues. Mr. Thun has decided to withdraw the application and will be resubmitting a new application as they are making changes. They must resubmit the \$600 fee again as Ms. Stevens requested the clarification. .

9. Engineers – Township Engineer Ryan Rhode of Kraft Engineering presented his April 2021 Report. Meeting which included that he attended a field meeting at Papermill Estates to discuss the conversion of the basin and then the inspection of the public improvements prior to the Board of Supervisor taking dedication. This was the only item from Mr. Rhode, and there were no questions.

9A. Heidelberg Road Bridge over Spring Creek Update: Ms. Stevens summarized that a recent inspection was performed on the condition of the bridge and the bridge is now deteriorating at a significant rate. The Inspector recommended that the **Bridge must be reduced from a 15 Ton Weight Limit to a 5 Ton Weight Limit**. This bridge is submerged under water during certain release events of the Blue Marsh Dam. The Supervisors are now considering the closure and removal of this Bridge. **Mr. Schlottman pointed out that the bridge must be monitored** every 12 hours and one of the Wooldtown Bridges over Spring Creek also has a Scour Report. Ms. Stevens noted that one of the Wooldtown bridges may be replaced as well. No questions

10. Recreation Board Update: Mrs. Scull noted that Phillies Game will be month to month, Movie night is scheduled for Friday, May 21, 2021 with a rain date of May 22, 2021 on the Church Lawn and bring your blankets, and if well attended they will hold another; and the Shredding date on June 12, 2021 between 10:00 a.m. to 2:00 p.m. and will be sponsored by VIST so it is free for the residents.

11. Police Department - The Officer in Charge Sgt. Stouch presented the Police Department April 2021 Report. Department is doing well and there were no incidents and thanked Mrs. Scull about getting rid of the 2 vehicles.

11A. Municibid Results: The 2011 Police Vehicle bid results and the Michigan Loader bid results were presented to the Board for approval of the highest bidders. No questions. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson accept the highest bidder for the Police Ford explorer and highest bidder for the Michigan Loader. Roll Call Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes. Motion passed unanimously. 2011 Ford highest Bid was \$7,000, and the Michigan Loader highest Bid was \$48,299 and the Van went to Spittler's for scrapping

12. Road Foreman - The Road Foreman was not present, so Ms. Stevens presented his April 2021 Report and Updates: Repainted the 2009 F550, they did some line painting, replaced street signs in Green Valley, did some weed spraying, started some mowing, and planted flowers and mulched At Township Building. No Questions

12A. Road Crew Member Advertisement: With the resignation of David Scholl, the Road Crew needs another member. The Board discussed authorizing the advertisement of the open Road Crew Member position. No questions. **On Motion** by Mrs. Scull, seconded by Mr. Keltz authorize the Manager to advertise for the open Road Crew Member position. . Roll Call Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes. Motion passed unanimously.

12B. County Roadway Salt Order: The Bids came in for the County's 2021-2022 season of supplying Highway Salt. The Low Bidder was Eastern Salt in the amount of \$67.63 per ton. The unit price represents an increase per Ton of \$5.63. The County requires the Township to approve to Award the Contract to Eastern Salt. No questions. **On Motion** by Mr. Keltz, seconded by Mrs. Scull authorize the Manager to complete the County Forms for the Award to Eastern Salt in the amount of \$67.63 per Ton delivered for the 2021-2022 Season. . Roll Call Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes. Motion passed unanimously.

12C. Seasonal Bidding: Request of the Board of Supervisors to authorize the Manager to Advertise for a Seasonal 2021-2022 Bid for Highway Salt, and present the results at the June 21, 2021 BOS Meeting. The Road Foreman will then have 3 sources of obtaining Highway Salt for the 2021-2022 Season, County, State and Municipal Bid. We have 400 Tons through the State (CoStars), 600 Tons through the County and this Local Bid will be for 1,200 Tons. No questions **On Motion** by Mr. Keltz, seconded by Mrs. Johnson, authorize the Manager to Advertise for the Seasonal Bid for Highway Salt, and present the results at the June 21, 2021 BOS Meeting. . Roll Call Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes. Motion passed unanimously.

12D. Seasonal Plowing Activities: The Supervisors would like to adopt a new Policy by Resolution 2021-17 that the claims for costs of repair or replacement of mailboxes and other property including but not limited to fences, shrubbery and trees caused by the windrow of snow during the plowing activities of Lower Heidelberg Township shall not be reimbursed by Lower Heidelberg Township but shall remain the responsibility of the owners of the property. No questions. **On Motion** by Mr. Keltz, seconded by Mrs. Scull, adopt Resolution 2021-17 whereby the claims from a property owner to repair or replace mailboxes and other features possibly caused by the windrow of snow shall not be reimbursed by the Township, and such Policy in this Resolution shall be posted on the Township's Website. . Roll Call Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes. Motion passed unanimously.

Manager/Secretary/Treasurer/Sewer Engineer

13. and 14. Bill List and Treasurers Report: The Bill Lists are for the May 2021. No questions. **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 Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes. Motion passed unanimously.

15. Results of 2020 Audit By Herbein: Ms. Stevens updated the Board and attendees that the General Fund had a surplus of \$404,860, the Sewer Fund had surplus of \$197,355, and the Liquid Fuels Fund had an ending Balance of \$260,000.

16. 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 discussed to again table the CELG request for additional sponsorship since it was tabled from last meeting. Same as the Ambulance by tabling until 2022 Budget is started.

17. Bookkeeper Update: Ms. Stevens stated The Township received several resumes and will begin the interview process for this part-time position.

Solicitor - The Solicitor did not have anything additional for his April 2021 Report that was not already covered.

Old Business - None

New Business - None

Public Comment – Mr. Kurtz requested to have the Zoning Hearing Board Minutes posted on the website starting with the minutes in 2021. He will send the minutes to Ms. Stevens who will coordinate having these placed on the Website and then move to the previous year's minutes.

Mr. Prutzman asked about what the Township spent the \$3million on with the previous Bond and how are these expenditures handled? Ms. Stevens answered his first part of his question and she will send him the spreadsheet once confirmed with Mr. Rhode that all of the projects, bridges and streets are included in the spreadsheet for the 2016 Bond Expenditures.

Mr. Bellwoar answered the second question pertaining to how are the Bond Expenditures handled, and Mr. Bellwoar stated that all expenditures from the Bond must be approved by the Board at a public meeting, and Ms. Stevens equated it similarly to releases for the Developers Improvements.

Rental Assistance Program: Ms. Stevens summarized the County Program, and if anyone knows of someone who needs rent assistance or utility bill assistance to put them in touch with the Township so we can get these people in touch with the Berks County Program representatives. The County has \$30,000,000 for the Program and they pay the Landlord or utility company directly so the Tenants are not evicted or their utilities shut off.

Adjournment: On Motion by Mr. Keltz, and seconded by Mrs. Johnson to adjourn at 8:45 p.m. and all concurred.

Respectfully Submitted
Pamela J. Stevens

Approved BOS 6.21.17