

**Lower Heidelberg Township Board of Supervisors  
BOS Action Agenda – Regular Meeting  
July 19, 2021**

The Lower Heidelberg Township Board of Supervisors held their monthly meeting in person at 720 Brownsville Rd. on the above date. The July monthly meeting was duly advertised to be held in person. Present were Chairperson Deborah P. Scull, Vice-Chairwoman Cheryl Johnson, and Member Michael Keltz, Township Solicitor Andy Bellwoar, Township Engineer Ryan Rhode (KE), Road Foreman Matt Clay, Chief Christopher Stouch, and Township Manager/Secretary/Treasurer Pamela J. Stevens. Also present were Fire Commissioner Jared Renshaw, Library Director Leigh-Anne Yacovelli, and Guests Kyle James, Barb Brenner, Dave Kurtz, Dean Hartman, Tom Jauch, Lucky Deligianis, Georgine Zdravecki, Gus Kotasis, John Roland, Andy Roland, Gregg Bogia, Chuck Frantz, Joe Margusity, Ashley Margusity, Paul and Marjorie Prutzman, and George Lehner.

Mrs. Scull called the meeting to Order & led the Pledge of Allegiance at 7:00 p.m.

**1. Minutes:** The minutes from the June 21, 2021 Regular Meeting will be considered for approval, and were distributed to the Board of Supervisors prior to this meeting. **On Motion** by Mrs. Scull, seconded by Mrs. Johnson, approve the minutes for the June 21, 2021 regular Meeting as presented. All voted in favor.

Mr. Kurtz asked if the public can be given the Draft minutes, and Ms. Stevens stated that the Policy is to not issue the draft minutes until they are approved.

**Public Comment – A. Expansion of the R7 Retirement Complex District:** Phoebe Ministries Request for the expansion of the R-7 Retirement District into the adjacent Jesuit Center Property. Mr. Bellwoar stated that the Planning Commission discussed the concept and there will be a zoning change from A1 – Agricultural Preservation to R7 – Retirement Complex. Kraft Engineering will need to start from scratch to create the new Zoning Map. Mr. Bellwoar will combine this rezoning with the Comprehensive Plan Amendments. No questions.

**Public Comment – B. Green Valley Terrace Update:** Chuck Frantz, from C2C Engineering presented the Project and the Rendering was displayed on the screen. Mr. Frantz does not need any action from the Supervisors, but is looking for any feedback from the supervisors before the zoning hearing application. Mr. Frantz summarized the Project location on Gaul Road, and the annexation parcel and the history of the annexation. One of the previous obstacles was the size of the parcel was less than 10 acres and now with the annexation, the parcel is now greater than 10 acres. The project is proposing for 2 apartment buildings with a total of 60 apartments. There are two points of access and a walking trail is proposed on the property. They are in the process of obtaining a well serve with PA American for potable water, and have 28 EDUs of sewer which is approximately 6,600 gallons. One of the previous plans included a 50 unit townhouse project and in 2016 a 28 unit townhouse project. Previous projects disturbed 80% to 90% where this project only proposes to disturb 50%. They are going to the Zoning Hearing Board due to the density is slightly higher than permitted. The current Zoning Ordinance allows for 6 units per acre, and they will be around 6.6 units per acre. Before they go to the Zoning Hearing Board, are there any comments from the Board of Supervisors. Mr. Rhode stated that the plan was submitted to the Planning Commission and Kraft Engineering reviewed the plan and generated a review letter. There still are details to work out but the density is the main zoning issue. Mr. Keltz had no comments, Mrs. Johnson stated that the project may not go over well with Green Valley West residents across Gaul Road.

Mr. Frantz gave the history of the other Terrace Projects and these are not age restricted but the tenants are typically without children and are older. Mr. Rhode asked what would the density need to be that would meet the Zoning and Mr. Frantz answered it would be 54 units.

**Public Comment – C: Fence Encroachment Easement Agreement for 116 Pennsylvania.** The fence is being proposed is the rear fence to buffer from Faust Road. According to the aerial, the adjacent neighbor at 118 Pennsylvania has the fence in the sewer easement. The Board decided to table the matter again since the Sketch from the property owner still did not reflect what was being proposed to modify his permit application.

**Public Comment – D: GlenRidge Estates:** Joe Margusity and Ashley Margusity who will be assisting her father in the details of the Projects were present. Mr. Margusity asked for conditional Final Plan approval for Phases 2A and 2B, and all Agreements for separate Phases are needed. He will also ask for a release of escrow monies. Mr. Bellwoar summarized the plans would not be released until all consultants are satisfied that the plans and documents are satisfactory. A Waiver for Teaberry Court is needed again for Section 512.C. for the cul-de-sac length. **On Motion** by Mrs. Scull, seconded by Mr. Keltz to approve the waiver request for Section 512.c for the cul-de-sac length in excess of 600 ft. consistent with previous Phases and Waivers. All Supervisors in favor. **On Motion** by Mrs. Johnson, seconded by Mrs. Scull for Conditional final plan approval of Glen Ridge Estates Phases 2A and 2B with conditions to be in compliance with comments in the of Kraft Engineering letter and any conditions set forth in the Motion of Approval. All Supervisors in favor. Mr. Bogia stated that PA DEP is not going to get out to do the Pump Station inspection. Ms. Stevens will check with Systems Design Engineering as to the status of the Permanent Pump Station. Mr. Margusity stated that Select Environmental is ready to operate the system, and he will keep the temporary pump system on the site to end of July, and leave the \$40,000 Escrow in the Bank until PA DEP approves the Pump Station. He also requested the Township to and allow Berks Homes and Forino to start connecting. Ms. Stevens discussed the signed and sealed Construction Certificate needs to be submitted to the Township. The Pump Station was started up and will be ready to be put on-line on July 23<sup>rd</sup> if all goes well. **On Motion** by Mrs. Scull and seconded by Mr. Keltz to authorize the decommissioning of the temporary system and to start up the permanent pump station as well as retain the \$40,000 Escrow until PA DEP approves the permanent pump station. All in favor. Ms. Stevens will contact Mr. Sullivan from SDE to request the flow certification and connection letter.

**2. Tax Collector** – The Tax Collector was not present to give her June 2021 Report. Ms. Stevens discussed her report and noted that 95% of the Real Estate taxes collected to date. Mr. Prutzman assisted Ms. Stevens in reading the value on the screen that was collected in June and which is the end of the flat rate period. Mr. Prutzman would like a comparison of 2020 to 2021 if possible.

**3. Library** – The Library Director, Leigh-Anne Yacovelli was present to give her June 2021 Report, and it was not available until late today due to a WiFi issue. The Library has been open and they are doing all of the programs including story time. She also summarized the programs and that there are no indoor children meetings. Everyone wears masks inside.

**4. Fire Commissioner** - Fire Commissioner, Jared Renshaw was present to discuss his June 2021 report. The main item is that they will be helping with National Night out.

**5. Emergency Management Coordinator (EMC)** – Justin Schlottman, the Emergency Management Coordinator was not available to present his June 2021 Report. Mrs. Scull summarized Mr. Schlottman's Report.

**6. Ambulance** – Ambulance Director was not present to give his June 2021 Report. Mrs. Scull summarized his report that there were 32 incidents with 9:00 am being the busiest time.

**7. Planning Commission** – There was a Planning Commission meeting on July 12, 2021. The 4631 Penn Ave Car Wash Plan and the Green Valley Village Terrace West Plan were discussed along with the R7 Retirement Complex District expansion into the Jesuit Center property. Mr. Hartman was present to discuss the Planning Commission meeting. He asked if there was going to be sufficient sight distance for the Terrace Plan at the one driveway.

**7A. 4631 Penn Ave Car Wash Plan:** Mr. Bellwoar noted that the address is 4631 and the tax ID parcel is the important number. The Planning Commission recommended the Board consider conditionally approving the 4631 Penn Avenue Car Wash Plan. Mr. Bellwoar continued that the ZHB granted certain relief and there are several waivers in the motion of approval, and there are also deferrals for some of the waiver requests. The Roland's and Mr. Bogia discussed that they will comply with the Kraft Engineering review letter. There were no questions. **On Motion** by Mrs. Scull, seconded by Mr. Keltz to conditionally approve the 4631 Penn Ave Car Wash Plan in accordance with the Solicitor's Motion of Approval. All in favor.

**8. Building/Zoning** – Mr. Rhode presented the June 2021 Building and Zoning Report and there were 36 permits issued for a total value of 1,272,910.00 24 Certificates of Occupancy, 121 inspections, 3 rental inspection, and 13 Zoning and 3 Property Maintenance matters.

**8A. UCC Appeals Board Resolution 2021-20:** Mrs. Scull stated the Board of Supervisors have utilized the Countywide Board of Appeals for the Uniform Construction Code in previous years. The County is now requesting that the Township enter into an Intergovernmental Agreement to continue to utilize the County's Appeal Board. The Agreement can be adopted by Resolution per our Township Solicitor's research. No questions. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson, approve the Township adopting Resolution 2021-20 to enter into the Intergovernmental Agreement with the Berks County Uniform Construction Code Board of Appeals, and the continuing remittance of the annual fee which is \$300 for 2021. All in favor.

**9. Engineers** – Township Engineer of Kraft Engineering to present his June 2021 Report. Mr. Rhode discussed the issues in his report. Revised Plan and calculations will be required for the Grande Basin.

**9A. Grande Basin Update at Green Valley Estates West:** Mrs. Scull summarized that there was a field meeting and a timeline needs to be set. Mr. Bellwoar mentioned that there are no more permits to be issued so there is no hammer from the Township. Mr. Bellwoar suggested that it may be time to fine Grande. Mr. Rhode noted that the Notice letter did get Grande's attention and he agrees to have the Township keep the pressure on Grande. A letter to be sent to Grande summarizing the Board's decision.

Mr. Bellwoar asked Mr. Rhode about the steps needed, and he thinks that within the next 30 days a draft design should be submitted. Mrs. Scull asked about Mr. Jones and he was pleased that progress was being made. Mr. Bellwoar and Mr. Rhode should draft a letter to Grande and the large delay will be PA DEP and BCCD reviews. Mr. Bellwoar suggested a letter to the representative. Direction to Mr. Rhode that a letter be sent to Grande with 30 day deadlines and steps to resolve this important issue. Measurable Progress needs to occur. Mr. Keltz would like to still fine if there is no compliance per the letter. There is sufficient escrow money and can these be increased for the worst case required for the basin. **Background:** Field Meeting was held on July 13, 2021 with representatives from Grande, Lower Heidelberg Township, Kraft Engineering, Stackhouse Bensinger, and a resident of Green Valley West to discuss the redesign of the main Basin that does not infiltrate.

**10. Recreation Board:** The Recreation Board Chair stated that there was nothing to present her June 2021 Report.

**11. Police Department** - The Chief of Police, Chris Stouch presented the Police Department June 2021 Report. The gallons were not reported correctly so an Amended Report will be filed. National Night Out is moving forward very well. The Chief will get the sign to the Library and send her some images for National Night Out.

**12. Road Foreman** - The Road Foreman, Matt Clay presented his June 2021 Report. Mr. Clay had 3 vehicles serviced, the 2008 and 2009 were in for AC repairs, they started mowing, there were several trees down and cleaned up, they did saw cutting for the inlet risers, cleaned up storm drains, finished the bollards at the garage, and the Road Crew did Story Time on August 2, 2021 at the Library.

**12A. Road Crew Member:** **Mrs. Scull announced that** the Township is considering the Offer of Employment to Kyle James as the new Road Crew Member at an hourly rate of \$24.50 per hour, with the benefits in accordance with the Teamsters Union 429 Collective Bargaining Agreement, and a start date of August 2, 2021 with a six-month probationary period that can be extended another six months. No questions. **On Motion** by Mrs. Scull, seconded by Mr. Keltz, approve the hiring of Kyle James at a rate of \$24.50 per hour conditioned upon a negative pre-employment drug test result, with the benefits in accordance with the Teamsters Union 429 Collective Bargaining Agreement, and a start date of August 2, 2021 with a six-month probationary period that can be extended another six months. All in favor.

**12B. New F550 Dump Truck:** Matt Clay discussed with the Board the options he researched for a new small dump truck as follows: Ford F550 \$98,508, Ford F600 \$102,221, Chevy 5500 \$100,302, and Chevy 6500 \$104,416, and Berman Freightliner at \$161,038.00. The timing of when the truck can be delivered to the Township was also discussed as there is a long lead time. It is possible that a truck will not be available until 2023 if ordered in January of 2022. The prices are locked in for 30 days, and the prices will keep increasing, even though they are Costar prices. The dump truck will replace the oldest dump truck. These smaller Ford and Chevy trucks do not push the heavy snow and the Freightliner would push the heavy snow but would be a 2-wheel drive and not a 4-wheel drive. In the next few years additional the smaller dump trucks will need to be replaced. Chevy 6500 he would recommend if they choose a smaller truck, but the Freightliner is more versatile. Costars quote has a 30 day limit. The truck payments need to be financed. The part-timers typically would not be in a Freightliner, but they can and have in the past.

Mr. Hartman asked about a CDL license for the large trucks, and Mr. Clay will research. Three of the part-timers have their CDL's. Mr. Lehner said you will lose the deposit if the BOS decides to back out of the truck purchase. Mr. Clay stated that the trailers have electric brakes, and he would need the hauling gross weight limits. Mr. Keltz requested Ms. Stevens research the costs of financing the Freightliner and bring the information back at the next Board Meeting.

**12C. Road Crew to Assist in National Night Out August 2, 2021 through August 4, 2021 with set up and clean up activities:** On Motion by Mrs. Scull, seconded by Mr. Keltz, approve the Road Crew to assist the Police Department from August 2, 2021 through August 4, 2021 in the set up and cleanup of the National Night Out Event. All in favor.

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

**13. and 14. Bill List and Treasurers Report:** The Bill Lists are for the June/July 2021. On Motion by Mr. Keltz, seconded by Mrs. Scull, approve the Bill Lists and the Treasurer's Report, and to file the Report for Audit. All in favor.

**15. American Rescue Plan Update:** The Township received their first portion of the American Rescue Plan Stimulus money in the amount of **\$322,067.17**.

**16. 2021 Bond Update:** The settlement of the Bonds occurred on July 15, 2021 and the amount deposited into the US Bank was **\$4,927,403.66**.

**16A. Preparation Quote from Rettew Engineering:** Rettew Engineering will prepare a Design Build Bid Contract Package for the Bridge Replacements and Bridge Removal work proposed as part of the Bond 2021 Series Projects. The Engineering Services for the preparation of the Bid package, construction services, for the Design Build Contract is \$61,600 for Gaul and Heidelberg bridges, and \$87,100 for Gaul, Wooldtown and Heidelberg bridges. Engineering services do not have to be bid and this engineering firm is the same firm that the Township utilized for the Paper Mill Bridge replacement. On Motion by Mrs. Scull, seconded by Mr. Keltz, approve the Quote from Rettew Engineering in the amount of \$61,600 to \$87,100 for the engineering services to prepare the Design Build Contract package for the proposed bridge replacement work identified as one of the projects in the 2021 Bond Series. All in favor.

**17. Penalties for Delinquent Sewer and Trash Bills:** Now that the Pandemic Disaster has been lifted, can the Township Staff now begin charging the past due penalties in accordance with the Township Codes, turn water off for accounts in excess of \$500, and suspend trash service for accounts not remitting payment for 2020 and 2021? On Motion by Mr. Keltz, seconded by Mrs. Johnson, approve the penalties to be reinstated, water shut offs to be permitted, and trash service to be suspended for the delinquent accounts. All in favor.

**18. Building Maintenance Contingency Account** – The Master Electrician has researched the replacement of the existing Phase converter to operate the Elevator. The cost of the unit with shipping and a surge protector is \$6,283.00. Once delivered, the Master Electrician from Waldman Electric Co. will work with Otis to replace the Phase Converter, and the cost for the labor is approximately \$6,350.00. The total cost of approximately \$12,635 is less than the amount discussed last month and the Contingency Fund has \$55,833 designated for Building Maintenance. This is considered an Emergency with the Elevator non-functional. **On Motion** by Mrs. Johnson, seconded by Mr. Keltz, approve the purchase of the Phase Perfect Digital Phase Converter from North American Phase Converters in the amount of \$6,283.00, and authorize Waldman Electric to provide the electrician services in the amount of \$6,350.00 which includes coordination with Otis Elevator Company for the complete replacement of the Elevator Phase Converter, and to pay for the Phase Converter project out of the Contingency Funds held at First National Bank. All in favor.

**19. New Laptop for the Bookkeeper:** The new Bookkeeper has a PC and not a Laptop. All of the other Administration Staff have a monitor and a laptop with a docking station. The cost of a new Lenovo Laptop and docking station is \$1,347.00 without the labor to install and copy all of the current information on the PC to the Laptop which could run approximately \$540.00. Mr. Prutzman questioned why the need for a new laptop as all of these little expenses add up over time. Ms. Stevens explained that the existing Bookkeeper's laptop is a Windows 7 and all office administration have laptops to be able to work remotely or in different parts of the building. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson, approve the purchase of a new Lenovo Laptop through Lynx for the Bookkeeper position at a cost of approximately \$1,890.00. All in favor.

**Solicitor** - The Solicitor was present for his June 2021 Report. He summarized the new law regarding the Agenda's.

**Old Business** - None

**New Business** - Mrs. Scull discussed that the Wilson School District is considering teaching the critical race theory, and the School Board meets the same night as the Township Supervisors.

**Public Comment** - Mrs. Brenner asked about the new Chief as she was unaware that the new Chief is Chris Stouch. Mrs. Brenner asked about the actual location of Lucky's property.

Mrs. Prutzman asked about the critical race theory and how can she help to oppose the theory, and Mrs. Scull noted that the School Board meets the same night as the Supervisors so attend the next School Board meetings.

Mr. Jauch asked about the American Rescue money and could it be earmarked for the new truck. Mrs. Scull stated good question, but no it can't be used to buy the new truck.

**Adjournment:** Mrs. Scull voted adjournment at 9:00 p.m.