

**Lower Heidelberg Township Board of Supervisors
BOS Minutes – Regular Meeting
August 16, 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), Zoning Officer Glenn Kraft, Road Foreman Matt Clay, Chief Christopher Stouch, and Township Manager/Secretary/Treasurer Pamela J. Stevens. Also present were Fire Commissioner Jared Renshaw, Emergency Management Coordinator Justin Schlottman, Tax Collector Sharon Boyer, Alex Lupco (WBFD), and Guests, Dave Kurtz, Linda Williams, George Lehner, Chuck Frantz, Jeff Simcox, Dr. Chris Trickett, Don Yerger, Paul Prutzman, and Russ and Nathan Lis.

Mrs. Scull called the meeting to Order & led the Pledge of Allegiance at 7:02 p.m.

Call to Order & Pledge of Allegiance

1. Minutes: The minutes from the July 19, 2021 Regular Meeting will be considered for approval, and were distributed to the Board of Supervisors prior to this meeting. Mrs. Scull pointed out the title of the Chief needed to be revised. **On Motion** by Mrs. Scull, seconded by Mr. Keltz, approve the minutes for the June 21, 2021, Regular Meeting with a minor change to the Chief's title from Sgt. to Chief and as presented. Roll Call Mrs. Scull – Yes, Mrs. Johnson - Yes, and Mr. Keltz – Yes. Motion passed unanimously.

Public Comment – A. Wilson School District New School: Wilson School District representatives will present to the Supervisors the Future Planning for a New School on State Hill Road in Lower Heidelberg Township. Dr. Trickett presented the introduction to the School Project, and they are in the due diligence period for the property, and this land is being investigated to provide proper school space for the future growth. Chuck Frantz from the engineering firm C2C continued the presentation, and there was no formal plan or any requested action or motion tonight, but they wanted to just provide the concept plan for the McGonigle tract located on the south side of State Hill Road and adjacent to Cacoosing Park. The tract is approximately 38 acres in the A1 District Agricultural Preservation. The property is subject to the 100 Year Floodplain Zone AE. Zone AE means that there was a study with an elevation and the property is subject to the Floodplain but there is no floodway on the property. The majority of the property drains to the creek. He paused to ask if there were any questions on the existing site, and there were none. Mr. Frantz continued that his firm was tasked to provide to the Wilson School District a footprint of the other schools on this property including a Middle School and an Elementary School and he located both buildings and improvements outside the floodplain. Mr. Simcox states that the site is located in the A1 Zoning and the School Use is not a Use by Right. One of the reasons they came tonight is to begin discussions since there will be zoning relief requested, and they would like input from the Board of Supervisors. The 2 existing schools located at Faust/Green Valley and Gaul did go through Zoning Relief. Dr. Trickett stated that it would be about 5 to 7 years from now that the schools would be under construction. Mrs. Scull asked how the district was to afford the new School. Mr. Simcox stated that the GV Elementary School is almost at capacity. Currently the base for the real estate taxes are covering the schools. The buildings they can fund with the Bonds, but it is the staffing and relevant staffing costs that are the factors that drives the increases in the school taxes. Mr. Simcox stated that there are many things to consider but the big issue is to not bus the children long distances. The goal is to build schools where the children are located. This parcel seemed a logical place due to the Glen Ridge Development.

Wilson School District New School – continued: Mr. Bellwoar clarified would the Board be opposed to the new school at this time since they would need Special Exception relief. Mr. Frantz asked if they are aware of any concerns with the property or the location for the new school. Mr. Kraft stated that there is rock in the site and Mr. Simcox confirmed that there is significant rock. Mr. Prutzman asked if the Solicitor could expand on the Agricultural Preservation zoning. Mr. Bellwoar expanded that any land is subject to the Board of Supervisors to rezone the, and there are areas that are preserved through conservation easements, and the Township could be in charge of the Easement. The best way for preserving in perpetuity is through a 3rd party such as the Berks Conservancy. A school would be something that the BOS could consider for rezoning. Glenn Kraft stated that the existing Green Valley Schools were in the Agricultural Preservation Zoning District. Mr. Yerger asked about the development into the Floodplain area. Mr. Frantz stated that the development would need to meet the Floodplain requirements of the Township Zoning Ordinance. Mrs. Williams asked if they touched on researching other locations. Mr. Simcox stated that they had researched 6 other locations near Shiloh Hills off of 222, and these other locations were not ideal. They looked at a Borough Property in Sinking Spring Borough, and they had engaged a realtor to see open available parcels and where the new growth is primarily located. Mr. Trickett clarified that they plotted the density and Shiloh Hills was not growing, but this area was growing and became the focus. They still have 6 months or so left in the due diligence period per Mr. Simcox and Dr. Trickett. Mr. Simcox stated that they entered into a 10-month due diligence period and then after that expires they then need to make the best decision. Mr. Lehner asked if the Schools will be built earthquake proof. Mr. Simcox stated that the quarry near the bridge and the area are all subjected to earthquake and sinkholes. Mr. Simcox stated that yes the schools will be built to meet Code. The tract that Mr. Lehner asked about is no longer owned by the School District. These are the very reasons why the Wilson School District is in the due diligence period. Mr. Simcox asked of the BOS would be willing to issue a letter, and Mr. Bellwoar stated to formally request the Board of Supervisors to rezone the property so as to not require a special exception. Would the Board of Supervisors recommend that the Wilson School District go to the ZHB? Mr. Simcox clarified that they could submit a concept sketch plan to the Board of Supervisors so the Board of Supervisors could give a letter of support and they would notify Ms. Stevens of their intention.

Public Comment – B: Fence Encroachment Easement Agreement for 116 Pennsylvania. Mrs. Scull noted that the permit plot plan was tabled last month to allow the Township Engineer to research the encroachment and receive a better plot plan from the property owner. Ms. Stevens clarified that the property owner did amend the plot plan and there is no sewer line in the easement and more than likely will not be one as there are no homes across Faust Rd. Mr. Rhode gave the history of the permit process. Mr. Bellwoar prepared the Easement Agreement and Mr. Keltz asked if it is 6" or 12" from the property line. Is there a gate in the fence at 116 Pennsylvania, Mr. Kurtz asked, and all agreed good question? Mr. Bellwoar clarified the Agreement should include "to maintain a 12" separation and suitable access". **On Motion** by Mrs. Scull and seconded by Mrs. Johnson, the fence can be located 12" from property line and suitable access shall be provided by the owner. All in favor. Motion passed unanimously

Mr. Donald Yerger received a letter from Rettew about the Heidelberg Road Bridge removal. He noted that the letter mentioned eminent domain and was quite upsetting. Ms. Stevens noted that she was unaware that Rettew had issued the letter. She is requesting that the Heidelberg Bridge Removal be tabled while she puts a packet together to submit to the property owners who reside on Heidelberg Road with all but one residing in Heidelberg Township.

Heidelberg Bridge continued: Mr. Yerger asked if anyone looked into his property being devalued if the Bridge was removed as he owns property on both sides of the Bridge. Ms. Stevens will request the property owners attend the September Board Meeting where their questions can be answered.

2. Tax Collector – Mrs. Boyer, the Tax Collector presented her July 2021 Report, and she was glad to be here in person. She collected \$26,787 for this month which represents 96% of the tax bills.

Supplemental Tax Bills for new construction and new permits will be affected and the Treasurer's office sent correspondence out that the Treasurer's office will not issue any interim tax bills. The property owners will be affected in 2022 where they would be issued tax bills for 2021 and 2022. The people at the settlement tables will be misled by not paying the total tax at that time.

The County will be sending letters to the affected property owners. She has requested the amount that would be lost revenue in 2021 from the County. Settlement sends monies in escrow back to the property owners which then may not have the money for the interim taxes. If any new home that is built and then also sold in the same year could be a disaster and both property owners could default on the tax bills. The School District does not even know about the interim tax bills not being collected.

3. Library – The Library Director was not Present for her July 2021 Report. Mrs. Scull summarized the Wernersville Public Library Report.

4. Fire Commissioner – Mr. Renshaw was present, but he did not have much for the July 2021 Report, but he and Captain Alex Lupco were present with the drone which is being used for high-risk responses and mutual aid for the other emergency responders. The model they purchased is the leading Drone in the industry and can be outfitted with different payloads. They are working on additional pilots for the drones and the pilots must meet FAA credentials since the drone is considered a plane flying in federal airspace.

5. Emergency Management Coordinator (EMC) – Justin Schlottman, the Emergency Management Coordinator was present to give his July 2021 Report, and he received his advanced certification from PEMA which is a state law requirement for the Emergency Management personnel.

5A. County of Berks Department of Emergency Services Dispatch Fees and Services: Ms. Stevens explained Berks DES is interested in entering into an Agreement for dispatch services whereby the services will only increase each year by the Consumer Price Index All Urban Consumers for the Northeast Region. The County is permitting the Township to adopt the Intergovernmental Agreement by Resolution. The current costs are \$12,338.83 for Fire, \$41,621.40 for Police and \$12,114.36 for EMS. No questions. **On Motion** by Mrs. Scull, seconded by Mr. Keltz, approve the Township adopting Resolution 2021-21 to enter into the Intergovernmental Agreement with the Commissioners of Berks County for the Berks Department of Emergency Services Annual Dispatch Services, which will fix the costs of the Dispatch Fees to only increase by the Consumer Price Index as referenced in the Agreement. All in favor. Motion passed unanimously.

6. Ambulance – Ambulance Director was not present to give his July 2021 Report. Mr. Tucci did request that Ms. Stevens announce that the WBAA has extra PPE and disinfection supplies if the Township needs more supplies.

7. Planning Commission – There was no Planning Commission meeting on August 9, 2021.

8. Building/Zoning – Glenn Kraft of Kraft Code Services was present to give his July 2021 Report. They issued 28 permits at a construction value of \$1,878,805.00, they performed 92 inspections, they issued 9 Certificated of Occupancy, they looked into 12 Zoning complaints, investigated 7 Property Maintenance issues and performed 14 rental inspections. No questions.

9. Engineers – Ryan Rhode, the Township Engineer of Kraft Engineering was present to give his July 2021 Report. **9A Grande GVEW Basin Discussion** - There were no action items and he met with Grande in July with the BCCD and Grande concerning the Green Valley Estates West Basin redesign. Discussion from the meeting was sent to PA DEP and their opinion is the redesign will require the modifications to be processed as a major amendment. They received verbal authorization to modify the outlet to allow the basin to drain but they must monitor the basin condition. Mr. Rhode will review the release rates and calculations. Ms. Stevens asked if the Engineer is meeting the intent of the timeframe that was laid out by the Supervisors and Mr. Rhode stated yes they were meeting the timeline/timeframe. No other questions.

10. Recreation Board: There were no recreation updates.

11. Police Department - The Chief of Police, Chris Stouch was present for the Police Department July 2021 Report. And he noted that National Night out was a good success, and he is very proud of his Department.

12. Road Foreman - The Road Foreman Matt Clay presented his July 2021 Report and Updates. Replaced brakes, started on the storm boxes on Erich in Saddlebrook. Road Crew thanked the Western Berks Fire Department in helping with the downed trees as they were down to 2 out of 4 from the Road Crew. Replaced street name signs and crack sealed in GVE. Story time at WPL and the new Road Crew Member Kyle James is doing a good job. Mr. Lehner suggested that the whole Road Crew should discuss the make and model of the new trucks. Mr. Clay did state that the Road Crew is part of the process of the truck specifications. Mr. Lehner discussed a bit more about the specifications of the various trucks.

12A. New Dump Truck: Mrs. Scull stated that the Board discussed last month they were considering purchasing the Berman Freightliner Truck conditioned on Ms. Stevens presenting the financials at this meeting. Ms. Stevens summarized that the cost of the 2022 Berman Freightliner was quoted at \$159,881 which is a CoStars quote. Financing this new truck would result in an approximate cost of \$35,000 per year for 5 years. The soonest the truck chassis would be delivered to the Township is the latter part of the 3rd quarter of 2022. Payment is due upon delivery. The first payment can be taken out of the newly established contingency fund and then budgeted for the next 4 years out of the General Fund. This Freightliner is more versatile than the Ford's and Chevy's discussed last month. Mr. Prutzman asked about once the chassis is delivered then what happens, and Mr. Clay explained that then EM Kutz picks up the chassis and finishes the rest of the Truck being outfitted.

12A. New Dump Truck – continued: On Motion by Mr. Keltz, seconded by Mrs. Johnson, approve the purchase of the 2022 Berman Freightliner M2106 at a total cost of \$159,881 and to be financed for a 5-year Term through Mercedes-Benz Financial Services USA which will be approximately \$35,000 per year. All in favor. Motion passed unanimously

Manager/Secretary/Treasurer/Sewer Engineer

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

15. NPDES and MS-4 Annual Report: The submission of the NPDES Report to PA DEP is due before September 30, 2021. If the Report is ready before the next Board Meeting, Ms. Stevens would like authorization to submit the Report to PA DEP and authorize the Chairwoman to execute the required documents. On Motion by Mrs. Scull, seconded by Mr. Keltz, approve the submission of the NPDES Annual Report to PA DEP and authorize the Chairwoman to execute the required documents. All in favor. Motion passed unanimously.

16. Bond Refinancing Bridge Projects Update from Re-Inspection of Wooltown Road Bridges: The Bridge on Wooltown that was slated to be replaced as part of the Bond Series Projects now does not have to be replaced. There are new Penn DOT's inspection parameters for adjacent box beam bridges which resulted from the recent re-inspection to increase the current posted weight limit from 24 tons to 34 tons and a combination load from 29 tons to 40 tons. The weight limit for not posting a bridge is 36 tons.

17. Worker's Comp Insurance Documents: The Township had a site visit by a representative of Susquehanna Municipal Trust to review the compliance with the Worker's Comp Program. The Supervisors need to approve the Safety and Loss Control Policy and assigning the Manager as the Safety Coordinator and Accident and Illness Prevention Program Coordinator. On Motion by Mr. Keltz, seconded by Mrs. Scull, approve the Safety and Loss Control Policy and assign the Manager as the Safety Coordinator and Accident and Illness Prevention Program Coordinator. All in favor. Motion passed unanimously.

18. Building Maintenance Contingency Account – Elevator Update. Ms. Stevens stated the phase converter unit should be arriving this month with a ship date of August 17th.

Solicitor - The Solicitor, Andy Bellwoar was present to give his July 2021 Report including the status of the South Heidelberg Township Joint Comprehensive Plan Amendment. Mr. Bellwoar will provide the process for the Zoning Amendment for next month.

Old Business - none

New Business - none

Public Comment

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Mrs. Scull thanked the Road Crew and the Chief for the success of National Night Out. Mr. Prutzman was very appreciative of the event and the fire works were spectacular, and he noted that there was a good turnout, and he was pleased.

Mr. Prutzman asked if the Supervisors were going to put pressure on the County Commissioners in writing concerning the interim tax bills, and Mrs. Scull was also going to call Commissioner Barnhardt.

Mr. Kurtz asked if a Traffic Study would need to be performed for both projects including the Gaul Road Apartments and the Phoebe Expansion. When was the last traffic study was done and was there one for Green Valley West? Mr. Rhode stated that there is a threshold in the Ordinance to require a traffic study and he will research.

Rus and Nathan Lis from 443 N. Church Road asked about the Phoebe plan and Mr. Bellwoar explained that there is no plan that was presented and only discussed the Zoning at this point to be Rezoned to allow for the expansion of the R7 District. Mrs. Scull clarified that this project will not have an impact on the school district and the Township services.

Adjournment: Mrs. Scull and seconded by Mrs. Johnson at 8:28 p.m. and meeting adjourned.

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

Approved BOS 9.20.21