

**Lower Heidelberg Township Board of Supervisors
BOS Minutes – Regular Meeting
March 21, 2022**

The Lower Heidelberg Township Board of Supervisors held their monthly meeting in person at 720 Brownsville Rd. on the above date. The March 21, 2022 monthly meeting was duly advertised to be held in person. Present were Chairperson Cheryl Johnson, Vice Chair Michael Keltz and Member Paul Prutzman, Township Solicitor Andrew Bellwoar, Township Engineer Ryan Rhode (KE), Zoning Officer Glenn Bertolet (KCS), Road Foreman Matt Clay, Chief 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, Library Director Leigh-Anne Yacovelli, and Guests, Robert Melson, David Kurtz, Linda Szortyka, Natasha Price, Shawn Head, Neal and Sandee Nevitt, Dennis Klinger, George Lehner, Chip Haws (attorney), Judy Houck (Spring Township Parks Director), Sue and Paul Grimes, Deborah P. Scull, Barbara Brenner, and Tom Jauch.

Mrs. Johnson called the meeting to order at 7:08 p.m., lead the Pledge of Allegiance, and requested everyone to remain standing for a moment of silence for the two State Troopers who were killed in the line of duty. They are Branden T. Sisca and Martin F. Mack, III, and Trooper Sisca was a former Firefighter for Spring Township. The Pennsylvania State Flag at the Township Complex will remain at half-staff in their remembrance.

Executive Session: There was an Executive Session held prior to the meeting to discuss litigation.

1. Minutes: The minutes from the February 21, 2022 will be considered for approval, and were distributed to the Board of Supervisors prior to this meeting. **On Motion** by Mrs. Johnson, seconded by Mr. Keltz, approve the minutes for the January 17, 2022 meetings as presented. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

Public Comment

A. 1118 Ryebrook Proposed Fence Encroachment into a storm water pipe easement. Residents have not moved in yet so Mrs. Stewart attended virtually through Mr. Rhode's Zoom Invitation. The fence would cross the stormwater easement of an underground pipe and they also need to stay away from the stormwater infiltration bed. Pre-inspection of the fence posts holes will be a condition and the Declaration of the Encroachment Easement Agreement will be required which contains various conditions. There were no Board questions. No permit has been submitted as she needed pre-approval from the Homeowners Association and blessing from the Board to move forward, which the Board was acceptable to the Agreement. Ms. Stevens will place on Agenda next month and Mr. Bellwoar will have the Encroachment Agreement completed for the April Board Meeting.

B. 48 Merganser (Lot 30) Proposed Fence Encroachment into a storm water pipe easement. Mr. Rhode stated that there is another lot that wants to install a fence in the easement to the rear of the property near Gaul Road. This encroachment is similar to 1118 Ryebrook with pre-inspection of the fence posts holes will be a condition. No questions from the Board and Ms. Stevens to add to April agenda as well.

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2. Tax Collector – Sharon Boyer, the Tax Collector was not present to give her February 2022 Report. Ms. Stevens stated that Mrs. Boyer collected \$4,068.63 in February 2022, and next month before the discount period ends will be bringing in a large amount of real estate taxes. The County issued the Bond for the Tax Collector's from January 1, 2022 through December 31, 2025.

3. Library – Leigh-Anne Yacovelli, the Library Director presented her February 2022 Report. Mask optional starting today, and the staff are very appreciative. Mixed messages on the masks, but they are not going back to all masks. Story time commitments are being scheduled. Longwood Gardens passes are good until the end of September and will be given away as prizes.

4. Fire Commissioner - Jared Renshaw, Fire Commissioner presented his February 2022 Report. There is not much to touch on and there are working on the one question on the Station 1 on Stitzer Ave renovations. Ms. Stevens asked about the response time similar to the WBAA and Mr. Renshaw will provide the information. Natasha Price has noted an increase in burning and she believes it is yard waste. It is sometimes so offensive she can't go outside. The property is near her property and her parent's property (Szortyka). He had sent them the ordinance and he opened it up on his Tablet and if the fire is uncontained, deemed dangerous and is a nuisance the Police may be able to respond. Chief Stouch stated he could have his Officer's respond. Mr. Renshaw continued to read sections of the Burning Ordinance. Ms. Stevens suggested that Mr. Rhode look into the PA DEP Air Quality regulations. Mr. Renshaw will send Mss. Stevens the County American Rescue Plan PJS the letter for support.

5. Emergency Management Coordinator (EMC) – Justin Schlottman the Emergency Management Coordinator presented his February 2022 Report. He attended the Berks County Department of Emergency Services presentation on Hazard Mitigation, and Ms. Stevens also attended. Wernersville Borough approached him about becoming their Borough EMC. He is not sure if the whole Intergovernmental Agreement would need to be re-written. Wednesday, April 6th is when the Borough will be meeting to discuss the EMC matter. Ms. Stevens will check with Deb Pierce as to their decision if any after the April 6th Meeting.

6. Ambulance – Tony Tucci, the Ambulance Director was not present to give his WBAA February 2022 Report. Mrs. Johnson presented the Report instead. She stated there were 8 ALS and 16 BLS, the busiest hour was 5 p.m. and there were 26 incidents.

7. Planning Commission - The March 14, 2022, Planning Commission (PC) Meeting was cancelled due to lack of any Agenda Items. Green Valley Terrace Plans were submitted in time to be on the April 11, 2022 PC Agenda.

8. Building/Zoning - Kraft Code Services representative to present the February 2022 KCS Report. Glenn Bertolet attended the March 21, 2022 Meeting, and stated that during the previous month there were 24 permits issued for a construction value of \$6,447,941.27 and mostly these permits were for Glen Ridge Estates, there were 89 inspections, 9 Certificates of Occupancy were issued, 8 property maintenance matters, 4 zoning issues, 10 matters reached compliance, and there were 4 rental inspections.

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8A. Zoning Hearing Board Alternate: Mr. Jerry Buffa contacted the Township and requested to be considered for the Zoning Hearing Board Alternate. Mr. Buffa is a realtor, so he does have experience with zoning issues. Mrs. Johnson requested that Mr. Buffa provide a Resume. Ms. Stevens will contact Mr. Buffa to obtain his Resume, and once received will send to the BOS Members, Zoning Hearing Board Members and Solicitors.

9. Engineers – The Township Engineer Ryan Rhode from Kraft Engineering presented his February 2022 Report. The Green Valley Terrace Plans are currently being reviewed. Green Valley Estates West and the modified basin is moving forward to PA DEP.

9A. Roadwork Bids – Mr. Rhode stated that the Bids were opened on March 16, 2022, and the Roadwork Contracts 1, 2 and 3 need to be discussed with the Board. Contract 1 is the construction contract, Contract 2 is the oil and chip contract, and Contract 3 is the ultra-thin wearing course contract. Mr. Rhode prepared a Memorandum for the Board concerning the three (3) Contracts and his recommendations. He explained the reason for the recycling alternate bid but he is recommending the Board award the base bid for Contract 1 and the base bid for Contract 2. He is not recommending Contract 3 be awarded and will discuss further after the motions for Contract 1 and Contract 2 are completed.

On Motion by Mr. Keltz, seconded by Mrs. Johnson, award Contract 1 to New Enterprise for the Base Bid amount of \$1,233,426.14. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

On Motion by Mr. Keltz, seconded by Mr. Prutzman, award the Contract 2 to Martin Paving for the Base Bid amount of \$95,495.60. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

Mr. Rhode is recommending that Contract 3 not be awarded. He had met with Mr. Clay and Ms. Stevens to discuss the bid concerns for Contract 3. He sent a separate memorandum to the BOS outlining his thoughts, and the unit prices exceeded what the Bidder had given to Kraft. He would like to send a letter to Asphalt Maintenance Solutions (AMS) that the Contract is not being awarded and the streets in this contract be added to next years Project. Mr. Rhode to write the letter and Mr. Bellwoar will review the letter before it is issued to AMS. **On Motion** by Mrs. Johnson, seconded by Mr. Keltz reject the AMS bid in the best interest of the Township. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

9B. UGI Paving Restoration: The Township Engineer would like to discuss with the Board about the UGI paving restoration matter, specifically UGI did the paving restoration on Connecticut, Hill Terrace, Kentucky, and Sweetwater without the Township Engineer's knowledge.

10. Recreation Board: Updates: The Easter Egg Hunt is Saturday April 9th starting at 2:00 p.m. sharp at Hain's Church. Mrs. Johnson is working on scheduling the Phillies Game on a Saturday (Fireworks) and needs authorization to spend more than \$1,000 for the baseball game tickets She received a quote of \$34/person for 150 Tickets which is too much money in her opinion, and this event may involve non-residents. Mr. Keltz and Mr. Prutzman both agree that it does not benefit enough people. Mrs. Szortyka agreed concerning the expense of the Phillies Game. (see new Resolution 2022-20 for purchasing policy)

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10. Recreation Board continued: Mrs. Johnson is waiting to confirm with Santa for Saturday, December 10th, but the picture people have confirmed. Mrs. Yacovelli asked if Wernersville Public Library could be present at the Easter Egg Hunt, and Mrs. Johnson said yes to the Library attending the Easter Egg Hunt, and she needs a volunteer for the Easter Bunny. Mrs. Yacovelli needs numbers of the children from previous egg hunts. Shawn Head is reaching out to a neighbor who enjoys being the Easter Bunny.

Mrs. Szortyka has seen dogs on the school Trail and they are off leash. Chief Stouch noted that the School District would call the Police Department if they see dogs off leash on the school grounds.

10A. Recreation Board Members: At the February Board Meeting, Susan Grimes and George Lehner requested to be on the Park and Recreation Board. The Board of Supervisors could appoint Mrs. Grimes and Mr. Lehner each for a Five-Year Term to the Township Park and Recreation Board. Mr. Clay will coordinate with Mrs. Johnson for the Easter Egg Hunt signs

On Motion by Mrs. Johnson, seconded by Mr. Keltz approve the adoption of Resolution 2022-18; whereby appointing Susan Grimes to the Park and Recreation Board for a Five-Year Term expiring January 4, 2027. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

On Motion by Mrs. Johnson, seconded by Mr. Keltz approve the adoption of Resolution 2022-19; whereby appointing George Lehner to the Park and Recreation Board for a Five-Year Term expiring January 4, 2027. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

George Lehner posed a question about the Township owned Land. He would like to see the land as a multi-purpose property. Mr. Lehner believes that the park land can be used for an organic recycling center. He discussed the prohibited vehicles and restrictions at the shared organic recycling site, and Lower Heidelberg could have different restrictions.

10B. Purchasing Resolution 2016-07: This Resolution should be revised for the current positions of the Township personnel. Ms. Stevens revised the previous Resolution 2016-07 and recommends that the Board of Supervisors consider adopting the new Resolution 2022-20. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson approve the adoption of Resolution 2022-20; whereby an updated purchasing policy and procedures are outlined to align with the current Township staff. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

11. Police Department – Chris Stouch, the Chief of Police will present the Police Department February 2022 Report. Responded to 137 Incidents with 6 criminal incidents and 7 motor vehicle accidents.

11A. Police Purchase: Chief Stouch stated that the Police Department needed to purchase materials for evidence training that was scheduled on March 10 – 11, 2022, whereby the purchase order missed the February Board Meeting. The Board needs to ratify the purchase in the amount of \$2,440.60. **On Motion** by Mr. Keltz, seconded by Mr. Prutzman, ratify the purchase of materials for the Evidence Training in the amount of \$2,440.60 and paid from Police Savings Fund. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

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11B. Resolution for Training: Chief Stouch read the Resolution concerning that Mr. Robert Johnson offered his Evidence Training Services at no cost to the Township. **On Motion** by Mr. Keltz, seconded by Mr. Prutzman approve the adoption of Resolution 2022-21 commending Mr. Johnson's donation of his time to provide Evidence Training to the Police Department and at no charge to the Township. Roll Call Mrs. Johnson - Abstained, Mr. Keltz - Yes, Mr. Prutzman. Motion passed with 2 yes votes.

11C. Police Department Firewall Renewal: Chief Stouch noted that Stratix submitted a quote for the license renewal for the firewall for two years in the amount of \$712.00. **On Motion** by Mrs. Johnson, seconded by Mr. Keltz, approve of the license renewal for the Police Department Firewall in the amount of \$712.00. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

11D. Hiring a Probationary Police Officer: Chief Stouch would like to discuss with the Board to start the process of hiring a Probationary Patrol Officer to fill the current vacancy. **On Motion** by Mrs. Johnson, seconded by Mr. Keltz, approve advertising for a Patrol Officer to fill the current vacancy. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

12. Road Foreman – Matt Clay, the Road Foreman presented his February 2022 Report. There were 5 vehicles taken in for inspection, they did cold patch throughout the Township, there were trees on Point and Starr Road that needed trimming and removal, with the wind, they needed to straighten street signs, the street sweeping is scheduled 4/27/22 to 4/29/22, and the rain date is 5/3/22, they attended a PA One call training class, and replaced two LED lights at the Township Building.

12A. Mower to be Advertised on Muncibid: The new mower has arrived, and the old mower a Hustler Mini-Z can now be sold on the Muncibid Website. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson, approve advertising the Hustler Mini-Z on the Muncibid Website. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

Sean Head asked why there was a sensor on N. Church Road, and Mr. Rhode said it was for the traffic study for the Phoebe Berks Project.

Manager/Secretary/Treasurer/Sewer Engineer

13. and 14. Bill List and Treasurers Report: The Bill Lists are for February 2022. **On Motion** by Mr. Keltz, seconded by Mr. Prutzman, approve the Bill Lists and the Treasurer's Report, and to file the Report for Audit. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

15. Sanitary Sewer Main Blockage: Ms. Stevens announced that there was a sewer blockage in the sewer lines downstream from the Glen Ridge Estates Townhouses. It was discovered that the blockage was caused by dumping kitty litter into the toilet. The Township is not liable for the costs as it was determined to be in Forino's section of the sewer line which sewer lines have not yet been dedicated to the Township.

16. Sanitary Lateral Blockage: The resident at 240 Atlantic contacted the Township that the plumber they called out determined that there was a blockage in our section of the sewer lateral and not in the building sewer. Select Environmental Services was called out to the scene, and they could not clear the blockage, so AH Moyer had to perform an emergency dig-up.

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16. Sanitary Lateral Blockage continued: A four-foot section of the sewer lateral was completely blocked with sewage and wipes. AH Moyer replaced the section of the sewer lateral, and this invoice is considered an emergency, and the Board should ratify payment. **On Motion** by Mr. Prutzman, seconded by Mr. Keltz, ratify the payment to AH Moyer in the amount of \$4,091.31 for the blocked sewer lateral emergency call-out at 240 Atlantic. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

17. Heidelberg Road Bridge: Rettew's Invoice - Bridge Engineering Services Invoice in the amount of \$24,297.75 for services rendered through 1/28/2022. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson, approve remitting payment to Rettew Engineering out of the Bond Proceeds Account in the amount of \$24,297.75. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

17. Heidelberg Road Bridge continued: Ms. Stevens noted that Rettew Engineering has forwarded a revised Bridge Proposal for Heidelberg Road Bridge which increased the engineering services by \$4,800 per each municipality now that the Major Repair Option was chosen. Additionally, they have submitted two (2) Professional Services Agreements one each for Lower Heidelberg Township and Heidelberg Township. Lower Heidelberg's professional services fee would be \$64,300.00, and Mr. Bellwoar is preparing the Memorandum of Understanding (MOU) concerning the shared costs for Heidelberg Road Bridge. **On Motion** by Mr. Keltz, seconded by Mr. Prutzman, approve entering into a revised Professional Services Agreement with Rettew Engineering for Heidelberg Road Bridge in the amount of \$64,300.00 subject to approval by both municipalities of the shared bridge Agreement as outlined in the MOU. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

18. Recreational Vehicle Parking: Matter was tabled from the February 21, 2022 Meeting. Mrs. Johnson would like to discuss with the Board on amending the parking restrictions pertaining to Recreational Vehicles (RV) in Chapter 18 of the Codification and Section 522 of the Zoning Ordinance. The proposed amendment would permit recreational vehicles to be parked in the driveway and in the side and rear yards. The current Ordinance 226 has been in place since September 16, 2002.

Mrs. Johnson had talked to Glenn Kraft about the change to the ordinance and he was to prepare an Ordinance that stated the revisions to the Recreational Vehicle Zoning Section would allow people to park their RV in the driveway, side yard or rear yard but not in the front yard. She thinks the Ordinance is wrong and people should be allowed to park their RV's on their property.

Neal Nevitt pointed out there are 2 points he wants to make, 1) his understanding is the Zoning Ordinance has regulations and restrictions to protect the residents and property owners in the Township and is why you have Zoning Regulations. He believes that this could result in negative unintentional consequences; and 2) How does the Township treat restricted covenants and deed restrictions and does the amendment make it a civil matter. Mr. Nevitt stated that there are restrictions on the use of your property such as the placement of a shed. Mr. Nevitt asked Mr. Bellwoar about the legal consequences. Mr. Bellwoar responded that the Township would not have standing in a restricted covenant case.

Shawn Head discussed that the RV's should have different consideration in the denser residential districts. In a neighborhood it is very different from a rural setting. Long term storage is what is being changed, and the Board must consider the people with deed restrictions.

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18. Recreational Vehicle Parking continued:

Mrs. Szortyka from 481 Gaul Road stated the Board should be very aware of the property at 590 Gaul Road due to the creation of the junk yard. She believes that the residents are well aware of the RV restriction since it has been in place for many years. She does not think the RV regulations should be changed. Natasha Price spoke about the issue as well and does not agree that it should be changed.

Shawn Head mentioned that his father does have an RV and the focus should be on density and the various zoning districts.

Mr. Melson has two points: 1) He has a deed restriction, and the Township is letting the people down who have deed restrictions as they would have to take it to Court at their own expense, 2) Specific exclusionary language should be considered to be inserted into the Zoning Ordinance due to a huge two year fight in another municipality that he found concerning a restored fire truck. Other vehicles such as half-track Humvee/military vehicles should also be considered to be prohibited. The Zoning Ordinance does restrict other items such as sheds and detached garages, and he wants the BOS to consider these issues. He asked about the procedures on the adoption of the Zoning Amendment which including the RV matter, and his opinion is that the RV regulations should not be changed.

Mr. Lehner's opinion is the side yards and driveways are acceptable as many people purchased RV's during COVID. Not all boats need to be registered so there could be other RV's that do not need to be registered. LHT is more of a rural community and people do have 4-wheelers. Mrs. Scull stated the Ordinance was put into effect in 2002 and the Supervisors adopted this Ordinance for a reason. Eventually the RV's will not be taken care of, and tires will go flat, and why are we changing the Ordinance for just a few people.

Mrs. Szortyka asked a question about 590 Gaul Road to Glenn Bertolet and Mr. Bertolet responded that part of the Ordinance Amendment will include changing language in the Property Maintenance Code to restrict the number of vehicles on this property and any others in the future. Code Enforcement would enforce the Property Maintenance Code. She believes that they are repairing cars on the property. Mrs. Price lived with her parents for 20 years and moved back to raise her children in the beautiful Lower Heidelberg Township. If she wanted to see the RVs she would not have moved back as her rights are being violated. Mr. Lehner asked about when does something get grandfathered, and Mr. Bellwoar stated it depends on when the property was under the Zoning Ordinance. Shawn Head noted that there needs to be clear language between long term storage and parking.

The RV Amendment Matter is being TABLED at this time as the Supervisors would like to see the revised language before they consider the Recreational Vehicle amendment, and before the next meeting Glenn Kraft needs to submit the revised language on the RV amendment to the Supervisors.

19. Berks EIT Update on LHT Taxes: The Executive Director of Berks EIT offered to prepare a Report for all the Berks EIT Members that presented a comparison on taxes collected in 2019 compared to the COVID Pandemic years 2020 and 2021. Ms. Stevens obtained the comparison for the Supervisors information.

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20. On Motion by Mr. Prutzman, seconded by Mrs. Johnson to TABLE the Disabled Veteran Tax Exemptions: Mrs. Boyer received a letter dated December 7, 2021 from the Veteran's Administration concerning a resident at 465 Sensen. The letter approved the resident to be exempt from real estate taxes. This is the first letter that the Township Staff and Tax Collector have seen submitted to the Township. We contacted the Veteran's Administration, and the Disabled Veterans are not exempt from the other Township taxes. There are four (4) Disabled Veteran's we have living in Lower Heidelberg Township. Does the Board want to start charging the Disabled Veteran's for the Township Taxes they are not exempt from paying? Using 2022 Tax Rates for the four (4) properties, the taxes to be collected would amount to \$2,301.04 for year 2022.

Mr. Melson noted that the letter should come from the State and the Vet is not exempt from fees such as trash/recycling, water, and sewer. Division of Military and Veteran Affairs is the agency and Mr. Melson will get Ms. Stevens the information.

21. Edmunds GovTech (Logics) Customer Portal Upgrade: In preparing the 2022 Budget, it was discussed adding a new customer portal to allow the resident to access their sewer and trash and recycling accounts to see what they owe, make payments, and to monitor their history. The portal setup is a one-time fee of \$2,500 and an annual fee of \$1,500. Currently we pay \$206 per month for the Edmunds support, so this monthly fee would increase to \$331 per month. Since the majority of the users of customer portal would be for sewer customers a prorated amount would be charged to the sewer fund. **On Motion** by Mrs. Johnson, seconded by Mr. Keltz, approve of the Manager signing the Edmunds GovTech quote for the new customer portal set-up at a one-time cost of \$2,500, and the customer portal annual cost of \$1,500, and for the prorated amounts being paid out of the General Fund and Sewer Fund. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

22. Trash and Recycling Delinquent Properties: There are several property owners who are two years behind on the trash and recycling fees for 2020 and 2021 which amount to \$486 plus the relevant penalty Fee. Does the Board want to lien the properties and/or have the Township Solicitor write a letter concerning the theft of services? The people that are delinquent are now putting their trash into their neighbor's trash cans since JP Mascaro is not picking up the trash and recycling for these properties. **On Motion** by Mr. Keltz, seconded by Mrs. Johnson, approve the Township Solicitor to write the property owners a certified letter stating that if payment is not remitted by a date certain, then the property will be lienied. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

23. Berks County Solid Waste Authority Donation: Ms. Stevens noted that the donation in previous years was taken out of the Trash and Recycling Fund in the amount of \$500, and not out of the General Fund Donation line item. **On Motion** by Mr. Prutzman, seconded by Mr. Keltz, approve the Township Manager to complete the sponsorship form and send a check in the amount of \$500 to Berks County Solid Waste Authority and the donation is to be journaled to the line item 01-427-046. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

24. Green Valley and Penn Avenue Traffic Signal: A resident has complained about the timing of the traffic signal not providing sufficient time for the people traveling west on Penn Avenue. Penn DOT has reviewed the request and can give the green light on Penn Avenue 11 additional seconds in the PM peak hours. We will need Telco to modify the timing in the Controller for which there will be a cost.

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24. Green Valley and Penn Avenue Traffic Signal continued: On Motion by Mr. Keltz, seconded by Mrs. Johnson, approve the Township Manager to sign the permit plans and return the same to Penn DOT so they may issue the revised Traffic Signal Permit to the Township. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

25. Little Cacoosing Creek Stream Restoration Project Update: Ms. Stevens noted here is the update regarding the status on the Berks County Conservation District has obtained Agreement Outlines for the Township's use in preparing the Operation and Maintenance and Access Agreements for the Little Cacoosing Creek Restoration Project. The Solicitor will be preparing these draft documents for a future submission to the Supervisors.

26. Recording Secretary: Mr. Prutzman would like to discuss with the Board the hiring of a person to take the minutes of the Board of Supervisor meetings. This position would be a part-time job and at an hourly rate without benefits. Look to find a service or a person willing under a contract. Not a W-2 employee. On Motion by Mr. Prutzman, seconded by Mr. Keltz for the Administrative Team to do research. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

27. Green Valley Country Club Letter of Support: Ms. Stevens stated that the Green Valley Country Club is applying for the American Rescue Act grant being offered through Berks County and are requesting a letter of support from the Township for this grant application. On Motion by Mrs. Johnson, seconded by Mr. Keltz, approve the Manager to write a letter of support for the Green Valley Country Club's American Rescue Act Grant Application to make repairs to the 1926 Pool. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

28. Water Road: Ms. Stevens noted that the Western Berks Water Authority is willing to pay for a portion of the proposed Roadwork and split the cost of the boom lift rental. Ms. Stevens recommends that a MOU is prepared outlining the monetary commitment of \$25,000 for the Roadwork and \$850 for the boom lift rental. On Motion by Mrs. Johnson, seconded by Mr. Keltz, approve the Township Solicitor to prepare a Memorandum of Understanding for the monetary commitment by the Western Berks Water Authority to the Township as it relates to the Water Road improvements. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

29. Spring Township Community Day: The Township Manger was contacted by the Spring Township's Director of Parks and Recreation, Judy Houck, concerning their September 3, 2022 Community Days Celebration in Cacoosing Park. Since a portion of the Park is in Lower Heidelberg, they need our permission to hold the Community Day especially since they are planning on a Fireworks Display. The Lower Heidelberg Township Board of Supervisors in accordance with Chapter 19 of the Codification and Section 221 – Fireworks, must consent to the Fireworks in writing. Mrs. Houck was present at the meeting and noted that the event would be from 3:00 p.m. to 9:00 p.m. and the Fire Works would be from 9:00 p.m. and will end at 9:15 p.m. Spring Township will have the required insurance rider. On Motion by Mrs. Johnson, seconded by Mr. Keltz, approve the Manager to write a letter consenting to the Fireworks Display at the September 3, 2022 Spring Township' Community Days Celebration. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

Solicitor - The Solicitor to present his February 2022 Report.

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Litigation Matter: At the recommendation of Mr. Bellwoar, On Motion by Mrs. Johnson, seconded by Mr. Keltz voted to approve the addition to the Agenda concerning the litigation matter. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously. Mr. Bellwoar then discussed the Pennsylvania Utility Commission (PUC) Settlement Agreement. On Motion by Mr. Keltz, seconded by Mr. Prutzman approve to sign a settlement agreement with the PUC. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

Old Business - Lot 25 in Glen Ridge Estates Tabled last month – see next page of the minutes.

New Business - None

Public Comment: Dennis Klinger asked about the status of the Jesuit Center property, and have there been any plans submitted. He heard there are over 600 homes being proposed and what will do this to the Township Roads. Mr. Rhode stated it is at the Sketch Plan Stage. The internal roads will be private roads and it would be an expansion of the Retirement Complex. The private roads would go from Gaul Road to N. Church Road. Mr. Hartman discussed that the connection to Penn Ave was discussed with the Phoebe representatives, and they told the Planning Commission that the connection to Penn Avenue would cause a significant financial impact to Phoebe. Hain's Church is concerned that their property will be used for access and egress. Mr. Rhode anticipates the Preliminary Plan will be on an Agenda soon. Mr. Melson asked about the Jesuit Center itself and the Cemetery and Mr. Rhode answered that the Jesuit Center will remain and be used by both Phoebe and Jesuit and the Jesuit will own the Cemetery via a separate lot. Shawn Head asked if there would be a road connection from N. Church to Gaul and Mr. Rhode stated that Phoebe stated no since they will be private roads, but they would consider a trail to connect to the school trails.

Glen Ridge Estates Lot 25 (Previously TABLED): Ms. Stevens noted that the home constructed on Lot 25 encroaches into the existing force main and needs to be relocated along with the easement on Lot 25 a.k.a 332 Chatsworth. A Declaration of Sewer Easement Lot 25 Agreement was prepared by the Attorney for Berks Homes; however, at this time, there may still be issues that need to be resolved. On Motion by Mr. Keltz, seconded by Mrs. Johnson to add the Tabled matter to the Agenda since the Agreement of Sale is in April. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

Mr. Bellwoar and Mr. Haws discussed the Agreement is needed for the encroachment on Lot 25 in Glen Ridge Estates. The Agreement was presented and circulated to the Board and Mr. Haws made the requested changes. Mr. Keltz and Mrs. Johnson asked Mr. Haws to clarify why was the house was built in the wrong location. Atty Haws explained there was a mix-up with the Building Permit Plot Plan and the location of the existing forcemain was not reflected correctly on the Plot Plan. The easement and the forcemain are both being shifted as needed to be as far away as possible from the existing home and to avoid the Wester Berks 36" diameter water main. The Agreement will Hold the Township Harmless. On Motion by Mr. Keltz, seconded by Mrs. Johnson approve the Township to enter into the Declaration of Sewer Easement Glen Ridge Estates Lot 25 Agreement. Roll Call Mrs. Johnson - Yes, Mr. Keltz - Yes, Mr. Prutzman. Motion passed unanimously.

HVAC Update: TABLE to the April Meeting - The gas unit heaters proposed in the Road Crew's Main Garage are currently being researched for a higher efficiency model that also has sealed combustion.

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Adjournment Motion made by Mrs. Johnson and seconded by Mr. Keltz to adjourn at 9:27 p.m. and approved by all.

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

Approved April 18, 2022