

Lower Heidelberg Township Board of Supervisors (BOS)
BOS Minutes – Regular Meeting
July 13, 2022

The Lower Heidelberg Township Board of Supervisors held their monthly meeting in person at 720 Brownsville Rd. on the above date. The July 13, 2022 monthly meeting was duly advertised to be held in person. Present were Chairperson Cheryl Johnson and Members Paul Prutzman and L.E. Chip Bilger, II, Township Solicitor Andrew Bellwoar, Township Engineer Ryan Rhode (KE), Code Officer Glenn Kraft, Chief Christopher Stouch, Road Foreman Matt Clay, and Township Manager/Secretary/Treasurer Pamela J. Stevens. Also present were Tax Collector Sharon Boyer, Emergency Management Coordinator Justin Schlottman, Library Director Leigh-Anne Yacovelli, Fire Commissioner Jared Renshaw, and Guests, Debbi Scull, George Lehner, David Kurtz, Wernersville Mayor Melissa Dean, Tom Jauch, Barbara Brenner, Dean Hartman, Marjorie Prutzman, Richard Jones, Sue Grimes, Marcie Bilger, Gloria Martinez, Joan Boner, Joann Schwalm, Chad Bond, Ronald Bond, Autumn and Damon Fichthorn, and Carl Sentz.

Mrs. Johnson called the meeting to order at 7:08 p.m. announced there were Executive Sessions held June 28, 2022 and July 11, 2022 to discuss the Teamsters collective bargaining, and tonight concerning personnel and Teamsters collective bargaining, and she lead the Pledge of Allegiance.

1. Minutes: The minutes from the June 20, 2022 regular BOS Meeting will be considered for approval, and were distributed to the Board of Supervisors prior to this meeting. The May 16, 2022 regular BOS Meeting was cancelled. **On Motion** by Mrs. Johnson, seconded by Mr. Prutzman, approve the minutes for the June 20, 2022 regular BOS Meeting as presented. Roll Call and all in favor – Yes. Motion passed unanimously.

PUBLIC COMMENT ON AGENDA ITEMS - NONE

2. Tax Collector – Sharon Boyer, the Tax Collector June 2022 Report was in the packet, and she had nothing to add.

3. Library – Leigh-Anne Yacovelli, the Library Director June 2022 Report was in the packet, and she had nothing to add except updates on the Storytime.

4. Fire Commissioner - Jared Renshaw, Fire Commissioner presented his June 2022 Report, and he added that they used the drone to locate the employee who was waving knife at Salute restaurant and for the missing teen.

5. Emergency Management Coordinator (EMC) – Justin Schlottman the Emergency Management Coordinator presented his June 2022 Report and added there was a gas leak at AmeriGas and the information for the emergency responders was out of date and Mr. Schlottman entered into the system the updated emergency responder information. The County Hazard Mitigation Plan meetings notifications are only being sent to the EMC's and Mr. Schlottman forwarded the August 3, 2022 Hazard Mitigation Plan Meeting and Mr. Bilger will be attending and encouraged the other municipal officials to attend as it is a good learning experience.

6. Ambulance – Tony Tucci, the Ambulance Director was not present to give his WBAA June 2022 Report, and Mrs. Johnson noted that there was nothing to add to the written report.

6A. EMS Resolution for EMS Week: Due to the cancellation of the May 16, 2022 Meeting, the Board of Supervisors were not able to adopt a Resolution recognizing the week of **May 15 to May 21, 2022 as EMS WEEK**, but would like to adopt a Resolution tonight memorializing their continued frontline service.

6A. EMS Resolution for EMS Week continued - On Motion by Chip Bilger, seconded by Mr. Prutzman, approve the adoption of the Resolution 2022-26 that recognizes the week of May 15 to May 21, 2022 as EMS Week. Roll Call and all in favor – yes. Motion passed unanimously.

7. Planning Commission – The Planning Commission meeting on July 11, 2022 was held and the Agenda is part of the Meeting Packet. Mr. Hartman noted that the meeting was held on July 11, 2022 and the Tommy's Express Car Wash team did not show up and both SHT and LHT Zoning amendments were approved by the Planning Commission to forward to the Board.

7A. Cacoosing Crossing North Phase 2 Reaffirmation: The Plans were approved at the May 17, 2021 Board of Supervisors Meeting. Once all of the conditions of approval are addressed, the Manager can release the plans for recording, and a reaffirmation letter can be written by the Manager to allow the plans to be recorded. The Board to concur with a Roll Call that the Manager may issue the new Reaffirmation Letter for the Cacoosing Crossing North Ph 2. Roll Call all concurred.

7B. Resolution for the Legacy at the Papermill Planning Module: The Resolution is needed as part of the Planning Module packet for the 48 additional EDU's relevant to the apartments. **On Motion** by Mr. Prutzman, seconded by Mr. Bilger, approve the Resolution 2022-28 for the Legacy at the Papermill Planning Module. Roll Call and all in favor – yes. Motion passed unanimously.

8. Building/Zoning – Glenn Kraft, Kraft Code Services representative presented the June 2022 KCS Report, and he added Glenn Kraft had 2 zoning hearings one at 3239 State Hill on July 28, 2022, and the other at 217 Steely on August 18, 2022 setback conflicts since it is a narrow lot. Both meetings at 7:00 p.m. Mr. Bilger mentioned the Board did discuss 217 Steely Zoning Variance and they had no opinion. Glenn Kraft believes that the new shed is not temporary at 3239 State Hill Road.

9. Engineers – Ryan Rhode, Township Engineer from Kraft Engineering presented his June 2022 Report.

9A. Escrow Release No. 12 for Cacoosing Crossing North Phase 1: Mr. Rhode discussed that there is an escrow release request in the amount of \$99,831.34. He reviewed the requested Escrow Release from Grande Construction and has the following recommendation for the BOS: Approve Release No. 12 requested by Grande Construction for Cacoosing Crossing North Phase 1 in the amount of \$99,831.40. **On Motion** by Mr. Bilger, seconded by Mr. Prutzman approve Escrow Release No. 12 requested by Grande Construction for Cacoosing Crossing North Phase 1 in the amount of \$99,831.40., and authorize the Manager to send the documents to the Surety/Bonding Company as presented by the engineer. Roll Call and all in favor – yes. Motion passed unanimously.

9B. Escrow Release No. 9 for Green Valley Estates West Phase 1: Grande submitted an escrow release for Green Valley Estates West Phase 1 in the amount of \$148,405.03 mostly for paving. **On Motion** by Mr. Bilger, seconded by Mr. Prutzman approve Escrow Release No. 9 for Grande Green Valley Estates West Phase 1 in the amount of \$148,405.03, and authorize the Manager to send the documents to the Surety/Bonding Company as presented by the engineer. Roll Call and all in favor – yes. Motion passed unanimously.

9C. Escrow Release No. 9 for Green Valley Estates West Phase 2: Grande submitted an escrow release for Green Valley Estates West Phase 2 in the amount of \$78,250.25. On Motion by Mr. Bilger, seconded by Mr. Prutzman approve Escrow Release No. 8 for Grande Green Valley Estates Phase 2 in the amount of \$78,250.25, and authorize the Manager to send the documents to the Surety/Bonding Company as presented by the engineer. Roll Call and all in favor – yes. Motion passed unanimously.

Mr. Rhode gave the update on the Martins Paving Oil and Chip Contract 2.

10. Recreation Board Updates: Mrs. Johnson has booked Santa for Saturday, December 10, 2022 and the Recreation Board will be discussing a Township-wide Yard Sale to be held on Saturday, September 17, 2022.

11. Police Department – Chris Stouch, the Chief of Police presented the Police Department June 2022 Report. For June there were 318 incidents, 11 uniform crime reported incidents, and 3 motor vehicle accidents. The Chief had a meeting with Superintendent Chris Trickett from the School District and they received \$400,000 grant for improving the safety at the Wilson School District. There will be joint training at all of the schools to help train for mitigating shootings and other lockdown events. Lower Heidelberg Police Department will have one Officer at the Campus the whole day until the overall situation calms down.

11A. Heidelberg Road Bridge Closure: Mrs. Johnson noted On Friday, July 8, 2022, the Lower Heidelberg Road Crew discovered a hole opened in the arch section of the bridge and the hole was open straight to the creek. A crack on the deck is opening more and a whole section of the arch is ready to collapse into the Creek and it is just a matter of time for the collapse to happen. There are what appear to be tractor tire tracks in the area where the hole is located. Both Municipalities closed their side of the Bridge on July 8, 2022 by 3:00 p.m. Photos have been taken of the posting on each side of the Heidelberg Road Bridge. The emergency responders, Penn DOT and the Bridge inspectors were all notified of the closure, and the bridge will remain closed until further Notice.

11B. Parking Complaints at 25 and 27 Colorado: Both neighbors have contacted the Township. The Township initially relocated the HC Sign in response to the continuing complaints to try to keep peace between the neighbors; however, with the sign at the rear of the HC Space, if the Police Department write a ticket relevant to the HC regulations, the ticket could be thrown out, so the sign should be moved to the front of the HC space to make sure the HC space is legal. Overall, shift the sign location to the align with the walkway to the In-Law Quarters in the rear of the home at 27 Colorado, paint the curb of the HC Space from the relocated sign to the new end of the space, and remove any blue paint from the sign to the driveway at 25 Colorado. On Motion by Mr. Bilger, seconded by Mr. Prutzman, approve the relocation of the HC Sign to the front of the HC Space along with the other repainting tasks. Roll Call and all in favor – yes. Motion passed unanimously.

12. Road Foreman – Matt Clay, the Road Foreman presented his June/July 2022 Report. Mr. Clay noted that the 2010 International was repaired, storm box grates were replaced with new safety grates on College, Charles, Stitzer, Erich, and Saddlebrook, the MS4 Outlet inspections were performed, shoulder work was performed along Justa to meet with the new paved surface. He would like the Road Crew to take a basic first aid and CPR Training Course.

Manager/Secretary/Treasurer/Sewer Engineer

13. and 14. Bill List and Treasurers Report: The Bill Lists are for June and July 2022. **On Motion** by Mrs. Johnson, seconded by Mr. Prutzman, approve the Bill Lists between the April 18, 2022 BOS meeting and today's BOS meeting and the two months of Treasurer's Report, and to file the Reports for Audit. Roll Call and all in favor – yes. Motion passed unanimously.

15. Gaul Road Bridge: Rettew's Invoice - Bridge Engineering Services Invoices in the amount of \$13,446.80 for services rendered through 5/27/2022. **Gaul Road Bridge** Services included wetland and bog turtle investigation, agency coordination bridge engineering, roadway engineering, E&S Plan preparation and hydrologic and hydraulic and surveying. **On Motion** by Mr. Johnson, seconded by Mr. Prutzman, approve remitting payment to Rettew Engineering out of the Bond Proceeds Account in the amount of \$13,446.80 for the bridge engineering services through May 27, 2022. Roll Call and all in favor – yes. Motion passed unanimously.

16. Resolution for Shredding Township Documents: The Shredding Event that was sponsored by Tompkins Community Bank was held on June 4, 2022 and approximately 65 vehicles came to the event. **On Motion** by Mr. Prutzman, seconded by Mr. Bilger, approve the **Resolution 2022-25** for the Township Shredding of various records as presented in the Resolution. Roll Call and all in favor – yes. Motion passed unanimously.

17. Resolution 2022-27 to Troop 423 Thanking Them for Their Assistance at the June 12, 2021 Event: **On Motion** by Mr. Prutzman, seconded by Mr. Bilger, approve the adoption of the Resolution 2021-18 Recognizing and Thanking the Scouts from Troop 423 for their assistance during the Shredding Event, and additional recognition to Dana Haag, Lori Haag's sister, Reilly, granddaughter of Deborah P. Scull, and the Sponsors of the Event from Tompkins Community Bank, Joanne, Cheryl, and Callie for also assisting at the Shredding Event. Roll Call and all in favor – yes. Motion passed unanimously.

18. TELCO Proposed Battery Replacement at Penn Ave and Big Springs Road: It is our understanding that the batteries need to be replaced at this intersection, but the custodian is Heidelberg Township. There were apparently issues during the winter season concerning the functionality of the Traffic Signal and the batteries need to be replaced especially in emergency situations, so the "pre-emption" operates correctly. **On Motion** by Mrs. Johnson, seconded by Mr. Bilger, approve the Quote from TELCO in the amount of \$1,415.00 to replace the traffic signal batteries at the intersection of Penn Ave and Big Springs Road, and invoice Heidelberg Township for their half of the Invoice. Roll Call and all in favor – yes. Motion passed unanimously.

19. Berks County Conservation District (BCCD) Final Memorandum of Understanding (MOU) for Services: The Final Memorandum of Understanding for the Conservation District to provide the plan reviews and construction inspection services from earth disturbance activities in Lower Heidelberg Township is ready for approval. This MOU authorizes the BCCD to provide the services required for the Minimum Control Measures #4 of the Annual MS4 NPDES Permit. **On Motion** by Mr. Bilger, seconded by Mr. Prutzman, approve the Manager to sign the Memorandum of Understanding for the annual services that assist the Township in complying with the Minimum Control Measure #4 of the MS4 NPDES Permit, and to send the Memorandum of Understanding to the Berks County Conservation District. Roll Call and all in favor – yes. Motion passed unanimously.

20. Little Cacoosing Stream Restoration Project Documents: The Township Solicitor has been working on the Operation and Maintenance Agreement while the Berks County Conservation District is working on the Temporary and Permanent Easements which will permit access, operation and maintenance of the Project. Mr. Bellwoar is waiting on the Conservation District Attorney's review of the documents.

21. Selective Insurance Inspection Findings concerning the Fire System: The two (2) findings included the missing Hydraulic Data Plate and the full testing and inspection of the Sprinkler System. We received a quote from Alarm Tech Suppression (ATS) in the amount of \$7,320.00 to address the two (2) findings. We were not successful in obtaining another quote, and ATS is our current alarm monitoring, inspection and service provider. On Motion by Mr. Prutzman, seconded by Mr. Bilger, approve the Quote from ATS in the amount of \$7,320.00 to address the two (2) findings from the Insurance Inspection. Roll Call and all in favor – yes. Motion passed unanimously.

22. New Supervisors to be added as a check signer for the Tompkins Community Bank Accounts. L.E. Chip Bilger, II should be added and Michael Keltz should be removed from as check signers. Tompkins Community Bank needs a motion and a letter for their records for the check signer changes. On Motion by Mrs. Johnson, seconded by Mr. Prutzman, approve the change of the check signers at Tomkins Community Bank whereby deleting Michael Keltz and adding L.E. Chip Bilger, II, and authorize the Manager to send a letter to Tompkins reflecting this decision. Roll Call and all in favor – yes. Motion passed unanimously.

23. Spring Township Metering Manhole Project: This new meter is to be installed on the sewer main line from the Rosewood Hills, State Hill and Glen Ridge Estates area. The meter will permit Lower Heidelberg Township to pay the bulk rate for sewage flows. The project was previously authorized to proceed, but with the change in Supervisors, it is back on the Agenda to be authorized to be advertised and Bid. The project is anticipated to have a Bid opening in August. On Motion by Mr. Bilger, seconded by Mr. Prutzman, approve Systems Design Engineering to advertise and bid the Spring Township and Lower Heidelberg Township Metering Manhole Project, and for the Project to be bid through the Penn Bid platform. Roll Call and all in favor – yes. Motion passed unanimously.

24. Sewer Manhole Rehabilitation Project in Penn Werner and Saddlebrook area: This sewer manhole rehabilitation project was previously authorized to proceed, but with the change in Supervisors, it is back on the Agenda to be authorized to be advertised and Bid. Most of the Project is to repair manhole frames and covers in advance of the Bond Road work. The project was to use American Rescue Plan monies, but there are sufficient funds in the Sewer Reserve Accounts to pay for this Project which should be less than \$150,000; however, with the fuel dilemma we will see what the bids come in at. The project is anticipated to have a Bid opening in August. On Motion by Mrs. Johnson, seconded by Mr. Bilger, approve Systems Design Engineering to advertise and bid the Manhole Rehabilitation Project, and for the Project to be bid through the Penn Bid platform. Roll Call and all in favor – yes. Motion passed unanimously.

25. JP Mascaro 4th Year Option: The trash and recycling Contract allowed for a 4th Year Option. The amount that the residents would pay for 2023 would be \$256.00 which is \$10.00 more dollars than this year; however, if we put the bid out, we would probably not see as low of a cost due to the current fuel costs. Overall, J.P. Mascaro has been a very responsive company when we called to file a complaint or a missed pick-up and recommend that the Board consider the 4th Option of JP Mascaro at the Base Bid Alternate 4 amount of \$494,047.68 for 1,987 Units.

25. JP Mascaro 4th Year Option continued: On Motion by Mr. Prutzman, seconded by Mr. Bilger, approve of the 4th Option Year for continued trash and recycling service provided by JP Mascaro at a base bid cost of \$494,047.68 for 1,987 Units, and authorize the Manager to send the letter to JP Mascaro choosing the 4th Year Option. Roll Call and all in favor – yes. Motion passed unanimously.

Solicitor - The Solicitor to present his June 2022 Report which shall include the status of the Little Cacoosing Project documents, the update on the Memorandum of Understanding (MOU) with Heidelberg Township (HT) concerning the Heidelberg Road Bridge, the Zoning Hearing for 3239 State Hill Road Variance, and the request to advertise the proposed Zoning Amendment for Lower Heidelberg Township.

Mr. Bellwoar summarized the LHT separation ordinance and discussed the amendment was for uses in the C2 District. Mr. Bilger was at the Planning Commission meeting where the PC conversed that it was a traffic safety concern with stacking vehicles possibly infringing into the traffic on Penn Avenue. Mr. Prutzman discussed that he has concerns that the Amendment is creating a business decision and he is on the fence with this Amendment. Mr. Kurtz discussed that an Attorney proposed the Amendment, and with 2 car washes, the lines may be shorter. Mr. Kraft does not agree with the Amendment. Mrs. Scull asked what if one of the car washes goes out of business as that it may leave the Township with a blighted property, and she is concerned about the traffic on Penn Ave. Mr. Bellwoar and Mr. Long did do research and there are other Ordinances. Mr. Bilger stated that the public attendees at the July 11, 2022 PC Meeting did support diverse businesses along the Penn Avenue, and did not want to see two car washes on top of each other. Mr. Bilger feels that the Public should weigh in on the proposed amendment and they can give their opinions at the hearing. Mr. Bellwoar noted that all three municipalities will need to approve, and this is motion is to go to advertise the Amendment. Mr. Jauch stated that Hyundai may be relocating their dealership on Penn Avenue and could be closer than 1,500 feet to Performance Toyota. Mr. Jauch stated that the current car wash in his opinion will cause more traffic issues. Mr. Bellwoar noted that both LHT and SHT Amendments will be on the August 10, 2022 BOS Meeting.

RECOMMENDED MOTION: **On Motion** by Mr. Bilger, seconded by Mrs. Johnson move to approve the Solicitor and Manager take those steps necessary to advertise and send out a proposed amendment to the Joint Zoning Ordinance to add a separation requirement for certain types of businesses, as recommended by the Township Planning Commission. Mr. Prutzman asked if we were approving the amendment and Mr. Bellwoar clarified, no the motion will not be to approve the amendment, only authorizing the advertisement for the Public Hearing. Roll Call and all in favor – yes. Motion passed unanimously.

Add to the July 18, 2022 Agenda to appoint Paul Prutzman to be named as the BOS Vice Chairman.

Mr. Bellwoar noted that a MOU has been prepared and reviewed by HT and the revised MOU is coming back again to LHT for discussion at the July 18, 2022 BOS Meeting, and Heidelberg Township representatives will be present.

UPDATES: FAST EDGE Fiber internet service: Ms. Stevens briefly noted the updates. A new service will be installed and available in the dense commercial and residential areas in Wyomissing Borough, Spring Township, Sinking Spring Borough and Lower Heidelberg Township by the end of the second quarter of 2023. The internet fees will be very cost effective and competitive with other providers.

PREVIOUSLY TABLED ITEMS:

TABLE TO JULY 18, 2022 WORKSHOP MEETING: Glen Ridge Estates Maximum Accessory Structure Size: Discussion is needed concerning the maximum square footage of 200 SF and what the Township can accommodate with pending permits, or not accommodate.

TABLE TO AUGUST 10, 2022 WORKSHOP MEETING: Recreational Vehicle Parking: This Topic Was Slated for Discussion at The May 11, 2022 Workshop and The June 15, 2022 Workshop But Since Both Meetings Were Cancelled when do the Board Members Want it scheduled. August 10, 2022 is the next Workshop where all 3 Supervisors should be present.

Old Business – Mr. Lehner asked about the Ballot Question for 3 Supervisors to 5 Supervisors and Ms. Stevens answered the ballot question will be on the November election ballot. Mr. Lehner asked about the healthcare for new Supervisors and the Lease Agreement for the Township Land and Ms. Stevens noted that both items will be on the July 18, 2022 BOS Agenda.

Mr. Jones asked about the work that Grande is doing in their Basin. Mr. Rhode clarified that it is part of the new redesign per PA DEP.

Autumn Fichthorn and her husband stated that the barricades on Heidelberg side were moved at the Heidelberg Road Bridge, and they were told to come to the Lower Heidelberg Township Meeting to voice their concerns about the Bridge closure and advanced signage for the closure. Ms. Stevens explained that Lower Heidelberg Township was not responsible for the signage on the Heidelberg Township side. We did install advance signage for the closure on the Lower Heidelberg side. Ms. Stevens asked them to attend the July 18, 2022 BOS Meeting as the Heidelberg Road Bridge would be on the Agenda.

Residents that live on College and Stitzer were present to discuss the deadline for UGI, and they included: Mrs. Schwalm, Mrs. Boner, Mrs. Martinez and Mr. Sentz. They had questions concerning the UGI mess. Mr. Rhode noted that the UGI project and not a Township Project, and work on N. Church involved the replacement of the gas line. A different contractor will come and do the final restoration on N. Church and College Ave. Mrs. Schwalm discussed the condition of College Avenue, and she has been asking about when the road would be repaired for 4 years. Mr. Rhode explained that UGI is doing their work in advance of the 2023 Road Work Project which will include College and Stitzer Avenues. They saw an Ambulance come through the area, and they think the Ambulance was called for a Flagger who collapse due to heat exhaustion. Mr. Rhode explained the road work in the Penn Werner area is slated for 2023 to 2024. Penn Werner is Year 2 of the cycle as the utilities need to fix their utilities. Mr. Prutzman stated that a Bond has been set aside to pay for these road improvements. Mr. Bilger asked the Road Foreman if there is there anything they can do temporarily, and per Mr. Clay, there really is not.

Mr. Rhode noted that advance notice letters will be issued to explain the scope of work to the residents in the area. They wanted to know if the narrow section of College Avenue was going to be widened and Mr. Rhode did not believe that it can be widened.

The ladies asked the Chief about their concerns with safety in the Wilson School District as one of the ladies has her Granddaughter is in these Schools. Chief Stouch answered that a Townhall meeting will be held before school starts and attend the Townhall Meeting. Each Police Department vehicle is equipped with a ballistic shield and a long rifle. Since Columbine the perimeter setup was the protocol, and now the new protocol is to go in and take care of the threat and neutralize the situation. He does not know about the other Police Department that is on recent YouTube videos. His responsibility and the Lower Heidelberg Township Police Department is just the 2 Green Valley Schools. One of our Officers is certified for the BCERT, which is the County "SWAT" Team, and the BCERT Team will be mobilized immediately, but all Officers in the Area will respond to a school incident. All Police Departments in the Wilson School District train together. The Town Hall meeting will be before the new school year starts.

New Business - None

Public Comment on any other items - None

On Motion to adjourn at 8:29 p.m. by Mrs. Johnson and seconded by Mr. Prutzman.

Respectfully Submitted

Pamela J. Stevens, Manager/Secretary/Treasurer

BOS Approved August 15, 2022