

Lower Heidelberg Township Board of Supervisors (BOS)
BOS Minutes – Regular Meeting
August 10, 2022

The Lower Heidelberg Township Board of Supervisors (BOS) held their monthly meeting in person at 720 Brownsville Rd. on the above date. The August 10, 2022 monthly meeting was duly advertised to be held in person. Present were Chairperson Cheryl Johnson, Vice Chair Paul Prutzman and Member L.E. Chip Bilger, II, Assistant Township Solicitor John Mahoney, 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 Planning Commission Chair Dean Hartman, Tax Collector Sharon Boyer, Fire Commissioner Jared Renshaw, Emergency Management Coordinator Justin Schlottman, Library Director Leigh-Anne Yacovelli, and Guests Wernersville Mayor Melissa Dean, David Narkiewicz, Christy Ulrich, David Kurtz, Kirk Barnett, Barbara Brenner, Tom Jauch, George Lehner, Deborah P. Scull, David Latino, Lindsay Berger, Greg Labe, John Roland, and Andy Roland.

Mrs. Johnson called the meeting to order at 7:04 p.m. announced there was an Executive Session held on July 25, 2022 to discuss the Teamsters collective bargaining, and lead the Pledge of Allegiance

PUBLIC HEARING FOR THE PROPOSED ZONING AMENDMENTS

John Mahoney read into the Minutes that the first Public Hearing is for the South Heidelberg Township proposed Zoning Amendment and summarizing the proposed Amendment as he read into the Minutes the actual Notice listed in the Newspaper. He did not read all of the tax ID's but listed the locations of the properties involved in the Zoning Amendment and as advertised for the Joint Zoning Amendments. It is a Legislative Hearing and he asked if there was anyone here to speak concerning this Zoning Amendment. Mr. David Narkiewicz and Christy Ulrich from the Department of General Services were present to speak about the Wernersville State Campus and the proposed rezoning. He handed the Board a copy of a letter. There was a lengthy discussion. **On Motion** by Mr. Bilger seconded by Mrs. Johnson to Table the proposed Zoning Amendment pertaining to South Heidelberg Township. All in favor. Motion passed unanimously.

Mr. Mahoney introduced the next Public Hearing and stated that this is another legislative hearing for Lower Heidelberg Township to consider the proposed zoning amendment. Conclusion of the Hearing is to do adopt the Amendment and Mahoney read the Notice into the Minutes. The summarized Notice is a zoning amendment for a separation of uses ordinance and amendment to the overlay district. There was a lengthy discussion. On Motion by Mrs. Johnson, seconded by Mr. Prutzman to not consider the adoption of the proposed Lower Heidelberg Township zoning amendment. All in favor. Motion passed unanimously.

1. Minutes: The minutes from the July 13, 2022 and July 18, 2022 Regular and Workshop BOS Meetings will be considered for approval at the August 15, 2022 Meeting.

PUBLIC COMMENT ON AGENDA ITEMS ONLY: Mrs. Johnson asked if anyone from the public wanted to comment and there was no response.

2. Tax Collector –. Sharon Boyer, the Tax Collector presented her July 2022 Report. She collected \$46,991.80 and she updated the BOS on the interim taxes from May through Dec of 2022. There are going to be many residents that are going to be very confused, and there are over 100 interim tax bills that she must send out.

3. Library – Leigh-Anne Yacovelli, the Library Director presented her July 2022 Report. Mrs. Yacovelli summarized summer reading program is ending. There is artwork on display at the Borough Hall and please come judge. The Halloween party is scheduled, and they will serve food. Story time winner was the Fire Dept.

4. Fire Commissioner - Jared Renshaw, Fire Commissioner presented his July 2022 Report. Mr. Renshaw summarized that the new report format now includes the turnout time, response time and time on scene and replaced a segment on the Report that was not really generating conversation. Turnout time under 7:00 minutes is the standard and they are under that threshold. Reading Alloys had an explosion on August 3, 2022 on their property and they produce products that pertain to the airplane industry. Nobody was killed, minor injuries and Matt Clay called Mr. Renshaw, and while on the call, Mr. Renshaw received the alarm. On their way to the Reading Alloys, the location of the building and what was the use of the building was passed onto the responders. There were two different fires 1) Aluminum nitrate and 2) roof structure. Justin Schlottman called the Reading Airport crash responder truck in case they needed additional chemicals to fight the aluminum nitrate fire. The Fire Department had performed pre-incident surveys which made this response successful, and he also recognized the extensive training that Reading Alloys requires of their employees. It seems that the calls are increasing to around 100 calls per month, which may be attributed to Blue Marsh and summer activities.

5. Emergency Management Coordinator (EMC) – Justin Schlottman, EMC was not able to attend, and Mrs. Johnson read his July 2022 report.

6. Ambulance – Tony Tucci, the Ambulance Director was not able to attend, and Mrs. Johnson read his July 2022 report.

7. Planning Commission – The Planning Commission (PC) met for both their Workshop on August 4, 2022 and their regular Meeting on August 8, 2022. The agendas are part of the Meeting Packet. Dean Hartman was present to discuss the Workshop and Regular Meeting and the noted that the PC discussed the Green Valley Terrace Project and the main thing that came out of the meeting was to discuss the sidewalk and stormwater issues. They asked for Prelim/Final Plan approval, but the PC did not consider the request. They recommended that the MPC extension be considered by the BOS

7A. Green Valley Terrace MPC Time Extension to December 20, 2022: The Planning Commission has recommended that the time extension be acknowledged by the BOS to December 20, 2022. All in favor

8. Building/Zoning - Kraft Code Services representative Glenn Kraft presented the July 2022 KCS Report. Issued 20 permits for a construction value of \$2,974,964.33, issued 15 residential permits and 4 nonresidential permits, issued 7 new home permits, 16 U&O's were issued, 138 Inspections were performed, they investigated 13 property maintenance issues, they investigated 14 zoning and code enforcement issues, and achieved 6 compliances. There is the 217 Steely Zoning Hearing for front yard setback relief scheduled and there was no opinion from the PC and the BOS has no opinion either on the Variance.

Mr. Kraft wanted to explain the issues with the Wernersville Campus Glenn Kraft and wanted to make very clear that the uses would be allowed to continue as an existing non-conforming use and as long as they own the property. The portion of the property where the litigation's focus was not in the original campus and is not a use permitted in the Zoning District. The uses that are grandfathered will continue.

9. Engineers – Ryan Rhode, Township Engineer from Kraft Engineering to present his July 2022 Report.

9A. Escrow Release No. 9 for Timberlake Phase 2: Ryan summarized the Final Escrow release request in the amount of \$86,126.40. The Township Engineer reviewed the requested Escrow Release from Grande Construction to close out the Timberlake Phase 2 Maintenance Bond account and has the following recommendation for the BOS: Approve the complete Release No. 9 requested by Grande Construction for Timberlake Phase 2 conditioned upon a receiving a \$10,000 check made payable to Lower Heidelberg Township for separate financial security for the Township to address the closeout of the NPDES Permit. **On Motion** by Mrs. Johnson, seconded by Mr. Bilger approve Escrow Release No. 9 requested by Grande Construction for Timberlake Phase 2 Maintenance Bond in the amount of \$86,126.40, conditioned upon a separate check in the amount of \$10,000 given to Lower Heidelberg Township to be posted as security to address the expenses associated with the closeout of the NPDES permit, and authorize the Manager to send the documents to the Surety/Bonding Company. All in favor Yes. Motion passed unanimously.

9B. 2022 Road Project – Martins Paving Payment Request: Kraft Engineering received Invoice No. 1 from Martins Paving for the work they completed under Contract 2, the Oil & Chip Contract. Martins Paving is requesting full payment and Mr. Rhode of Kraft Engineering supports the request in the amount of \$95,495.60. **On Motion** by Mr. Bilger, seconded by Mr. Prutzman approve Martins Paving Invoice No. 1 in the total amount of \$95,495.60 for completion of Contract 2, and authorize the Manager to process the payment to Martins Paving through the PLGIT Bond Account. All in favor Yes. Motion passed unanimously.

He handed out the status of the New Enterprise Contract 1 and the change order and paperwork and the amount of \$1,207,611.25 is below the contract value. Asphalt escalation costs, inlet work still being completed and calculated, and Ms. Stevens to place on the September 19, 2022 BOS Meeting.

10. Recreation Board Updates: Mrs. Johnson has booked Santa for Saturday, December 10th and the Recreation Board will be discussing a Township-wide Yard Sale on September 17th from 7 to 12 and they use Wilson School District Campus. There was some discussion on the Township Land on Reber's Bridge and Wagner Road.

11. Police Department – Chris Stouch, the Chief of Police presented the Police Department July 2022 Report. He respectfully submits his monthly report, and he listed the report statistics. The K9 vehicle parts are still not available, and they have called all over and there may be parts available in New Jersey. He is working with Dr. Trickett about a bomb dog and the Wilson School District is interested in a bomb dog. He wants to get a new K9 vehicle for the new K9 but keep the current K9 vehicle as a back-up. He wants to work with the District Attorney's office to also partner with the school safety upgrades. Mr. Bilger asked if there are any other spare K9 Vehicles in the area and there are no spare vehicles. The current K9 vehicle is almost 10 years old.

11A. 2023/2024 Police Patrol Vehicle: The Chief noted they do not need a vehicle today, but he is concerned about the future availability, and we do not have to pay for the vehicle until the vehicle is delivered. Due to the supply issue of parts and vehicles, the Chief would like to discuss ordering a 2023/2024 Police Patrol Vehicle to continue the Department's program of replacing Police Department vehicles every other year. **On Motion** by Mr. Bilger, seconded by Mr. Prutzman, approve the ordering of the 2023/2024 Police Patrol Vehicle to ensure that a vehicle is available in Year 2024 for the Police Department and obtain pricing as soon as possible. All in favor Yes. Motion passed unanimously.

12. Road Foreman – Matt Clay, the Road Foreman presented his July/August 2022 Report. He summarized the report that the 2020 freightliner had a recall repair completed, the Road Crew worked on shoulder restoration and storm box repairs, the HC space at 27 Colorado was relocated, the sinkhole at 9 Connecticut was repaired with flowable fill, they painted the small salt shed walls and are keeping eye on cherry tree on the Police Dept. side, and he will advise the BOS accordingly.

12A. 2023/2024 Small Dump 5500 Truck: Matt has same Due to the supply issue of parts and vehicles, the Road Foreman would like to discuss ordering a 2023/2024 Small Dump 5500 Truck to continue the Road Department's program of replacing vehicles that are past their service life. On Motion by Mr. Bilger, seconded by Mr. Prutzman, approve the ordering of the 2023/2024 Small Dump 5500 Truck to ensure that a vehicle is available in Year 2024 for the Road Department, and to obtain pricing as soon as possible. All in favor Yes. Motion passed unanimously.

12B. Underground Sanitary Sewer Utility Detection Equipment: Matt summarized they would like the Board to consider the purchase of a Magnetic Detector and a Transmitter to assist the Road Department in the PA One Call mark outs for the Township's Sanitary Sewer system. The Exeter Supply Magnetic Detector is to permit the Detector to pick up the location of the magnetic strip that is placed above the "plastic" pipe. The standard Metal Detector will not pick up the location of the magnetic strip, and since we have more "plastic" pipe being installed, the Road Crew need this type of Detector. The Exeter Supply Gen-Eye Transmitter is to assist in locating an underground pipe that may not have the magnetic strip, pipe that is not ductile iron, or pipe that is very deep. The cost for a new Magnetic Detector is \$1,016.00 (without freight costs), and the cost of the Gen-Eye Transmitter is \$2,239.00. Both of these pieces of equipment can be paid out of the Sewer Fund and are from Exeter Supply. On Motion by Mr. Bilger, seconded by Mr. Prutzman, approve the ordering of the Magnetic Detector and Gen-Eye Transmitter from Exeter Supply and payment in the amount of \$3,255 along with the freight charges to be out of the Sewer Fund. All in favor Yes. Motion passed unanimously.

12C. Confirmation of Purchase of John Deere Ripper (single tooth) Tooth in the amount of \$1,800.00: This piece of equipment was budgeted for in the 2022 Budget, but since it is over \$1,000, the Manager and Road Foreman need the BOS to approve of the purchase. On Motion by Mr. Bilger, seconded by Mrs. Johnson, approve the ordering of the John Deere Ripper Tooth in the amount of \$1,800 plus freight, and payment to be out of the General Fund Budgeted line item. All in favor Yes. Motion passed unanimously.

Manager/Secretary/Treasurer/Sewer Engineer

13. and 14. Bill List and Treasurers Report: The Bill Lists are for July and August 2022. On Motion by Mr. Bilger, seconded by Mrs. Johnson, approve the Bill Lists between the July 18, 2022 BOS meeting and today's BOS meeting and the Treasurer's Report, and to file the Reports for Audit. All in favor Yes. Motion passed unanimously.

15. Gaul Road Bridge: Rettew's Invoice - Bridge Engineering Services Invoices in the amount of \$17,493.25 for services rendered through 6/24/2022. **Gaul Road Bridge** Services included the preparation and submission of the GP-11 Permit, bridge and roadway engineering, utility coordination, and R.O.W. research. On Motion by Mr. Bilger, seconded by Mrs. Johnson, approve remitting payment to Rettew Engineering out of the Bond Proceeds Account in the amount of \$17,493.25 for the bridge engineering services through June 24, 2022. All in favor Yes. Motion passed unanimously.

16. Addendum to the JP Mascaro Solid Waste and Recycling Contract: The Addendum for the 4th Year option was received by the Township and requires authorization from the Township. This Addendum will provide the same service through December 31, 2023 at a Contract cost of \$494,047.68 for the 4th Year. **On Motion** by Mr. Bilger, seconded by Mr. Prutzman, approve the Manager to sign the Addendum to the Solid Waste and Recycling Contract with JP Mascaro for the 4th Year option and return executed Addendum to JP Mascaro. All in favor Yes. Motion passed unanimously.

Solicitor – John Mahoney, Assistant Township Solicitor presented his July 2022 Report which shall include but is not limited to the following:

17. Center for Excellence in Local Government (CELG) Professional Services Quote: The Township received a quote from CELG for services pertaining to developing a five-year development of the Budget and Capital Plan, review fiscal policies and procedures, research intergovernmental coop programs, review personnel policies, review job descriptions and interview key personnel concerning the job descriptions and their scope of work. The County Commissioners will pay for the services relevant to the Budget, Capital Plan, and fiscal items in the amount of \$10,000, and the Township would be responsible for \$4,000 for the human resource related items. **On Motion** by Mr. Prutzman, seconded by Mrs. Johnson, approve of entering into the Consulting Contract Agreement with CELG for fiscal and human resource services with the Township being responsible for \$4,000 of the proposed services. All in favor Yes. Motion passed unanimously.

18. Disabled Veteran Tax Exemptions: The municipalities vary on either full exemption on all taxes or no exemption on the non-real estate taxes. The BOS to decide if they want to exempt the Disabled Veterans from paying the non-real estate taxes and when to start. **The BOS decided to TABLE the Veteran Tax Exemption to the August 15, 2022 Meeting.**

19. Little Cacoosing Project documents: Documents to permit the Township and the Township Maintenance Consultant access to the Little Cacoosing Creek Restoration Project area to maintain the project area and to eliminate any invasive plants from overtaking the proposed plantings. **On Motion** by Mr. Bilger, seconded by Mr. Prutzman, authorize the Solicitors to prepare an access easement, obtain signatures from the appropriate grantors and thereafter record the necessary documents so that legal access is provided to the Township and its contractors to allow implementation of the work required by an operation and maintenance agreement relating to a pollution reduction project for Little Cacoosing Creek. All in favor Yes. Motion passed unanimously.

20. Lease Agreement for Farming Township Land: Dave Kratz had discussed with the Board the Agreement he has with Paul Prutzman, and he is willing to propose the same with the Township. The Agreement would be for \$60.00 per acre and 20% of the profits. **On Motion** by Mr. Bilger, seconded by Mrs. Johnson, approve a lease agreement to allow farming on Township land as prepared by the Solicitor. All in favor Yes. Motion passed unanimously.

21. New Resolution for Public Comment and Procedures: Resolution 2022-28 is being proposed which outlines the Public Comment Rules and Procedures during public meetings. **This Resolution was Tabled by the BOS.**

UPDATES:

American Rescue Plan (ARP): The Township received an additional amount of ARP Money that was unclaimed by other municipalities and in the amount of \$1,018.29. It is expected that our second tranche will be coming during this month of August. The Supervisors are finalizing a Memo for the Public to give their input on how the Township should spend the \$645,000.00 of ARP money. There are restrictions on the use of the funds, and the Memo will include the eligible and non-eligible uses.

Papermill Dam: The Papermill Dam was recently removed, and the PA DEP are hopeful that it will lower the elevation of the back/tail water and subsequently should lessen the flooding impacts in the Cacoosing Creek.

Berks County Hazard Mitigation Plan: The Plan is revised every five (5) years, and the Township needs to be part of the plan to secure funding for mitigation of events such as flooding. The Manager and Emergency Management Coordinator will be reviewing 4 Sections of the Plan and present updates to the County. If anyone from the Public has any hazardous conditions concerns, contact the Township Offices so the Manager can discuss these concerns with the County Planners.

PREVIOUSLY TABLED ITEMS:

TABLE TO AUGUST 15, 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 15, 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 both meetings were cancelled. August 15, 2022 is the next Workshop where all 3 Supervisors should be present either in person or remotely.

Old Business None

New Business Mr. Bilger summarized that he and the Road Foreman and the Manager toured the Collection System with ARRO Water Services and ARRO will be coming back with some recommendations, some maintenance items, and making sure there are no duplicate efforts.

AUGUST 15, 2022 WORKSHOP: Will also include the MS4/NPDES Public Meeting with updates on the NPDES Permit and the Little Cacoosing Creek Restoration Project.

Public Comment on Any Non-Agenda Items

Chief Stouch is responding to the complaints about the scooters on Green Valley Road and he is trying to get a hold on the solicitation people that are roaming the developments without permits.

Adjournment on Motion by Mr. Bilger and seconded by Mrs. Johnson at 9:25 p.m.

Respectfully Submitted

Pamela J. Stevens, Manager/Secretary/Treasurer

BOS Approved October 17, 2022