

Lower Heidelberg Township Board of Supervisors (BOS)
BOS Minutes – Regular Meeting
October 17, 2022

The Lower Heidelberg Township Board of Supervisors (BOS) held their monthly meeting in person at 720 Brownsville Rd. on the above date. The October 17, 2022 monthly meeting was duly advertised to be held in person. Present were Chair Cheryl Johnson, Vice Chair Paul Prutzman and Member L.E. Chip Bilger, II, Township Solicitor Andy 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 Planning Commission Chair Dean Hartman, Tax Collector Sharon Boyer, Fire Commissioner Jared Renshaw, and Guests Dennis Klinger, David Kurtz, Barbara Brenner, George Lehner, Robert Melson.

Mrs. Johnson called the meeting to order at 7:02 p.m. and lead the Pledge of Allegiance

1. Minutes: The minutes from the August 10, 2022 and August 15, 2022 Regular and Workshop BOS Meetings and September 14, 2022 and September 19, 2022 Workshop and Regular BOS Meetings will all be considered for approval, and were distributed prior to this meeting. On Motion by Mr. Prutzman, seconded by Mr. Bilger, approve the minutes for the August 10, 2022 and August 15, 2022 Regular and Workshop BOS Meetings and September 14, 2022 and September 19, 2022 Workshop and Regular Meetings with the revisions as discussed on page 6 item 22. All in favor Yes, except Mrs. Johnson was not present at the September 19, 2022 Meeting. Motion passed for all minutes.

PUBLIC COMMENT ON AGENDA ITEMS ONLY

2. Tax Collector – Sharon Boyer, the Tax Collector presented her September 2022 Report. She collected in September \$17,389.93 and she was concerned about Act 57. Mr. Bellwoar explained the Resolution that waives the penalty but the property owner not the Tax Collector has the responsibility to meet the criteria in the law to qualify for the penalty waiver. Mrs. Boyer explained that she does get various reports and the manufactured homes are another issue since they may not go through certifications.

3. Library – Leigh-Anne Yacovelli, the Library Director was not present to give her September 2022 Report. Mrs. Johnson stated that the library was at the WBFD Open House and the Open House went well.

4. Fire Commissioner - Jared Renshaw, Fire Commissioner presented his September 2022 Report, and if time permits will show the Reading Alloys PowerPoint Presentation. School visits accounted for 800 student interactions for Fire Prevention Month. Mr. Renshaw postponed the Reading Alloys PowerPoint presentation. Open House had 12 other community groups at the Open House with these groups being emergency responder related. There were 338 children at the "Swag" table. More than likely over 400 attendees.

5. Emergency Management Coordinator (EMC) – Justin Schlottman, EMC was not present to give his September 2022 Report. The Next Hazard Mitigation Meeting is October 26, 2022

6. Ambulance – Tony Tucci, the Ambulance Director was not present to give his WBAA September 2022 Report. Mrs. Johnson noted that there were 45 incidents, no Narcan was administered, and busiest 6am with 5 incidents.

7. Planning Commission – The Planning Commission did not meet on October 10, 2022, and Mr. Hartman noted accordingly.

8. Building/Zoning - Kraft Code Services representative presented the September 2022 KCS Report. They Issued 24 permits, 20 residential, 4 non-residential, permit values of \$688,889.24, issued 13 U&O's, performed 122 inspections, inspected 1 rental unit, investigated 17 enforcement matters and achieved 6 in compliance. Mr. Kraft updated the BOS on the NOV's for 3 properties, 2 on Gaul 590 Gaul, 265 Gaul and one on Faust. The property at 590 Gaul is no longer an issue, and the other 2 have deadlines that are coming up. Since there may be litigation, he did not expand further.

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

9A. Escrow Release No. 1 for Penn Avenue Car Wash: Andy Roland is requesting escrow release number 1 in the amount of \$117,101.50 for the work performed at the Penn Ave Car Wash Project. Mr. Rhode The Township Engineer reviewed the requested Escrow Release from Andy Roland related to the construction activities at the Car Wash at 4621 Penn Avenue. On Motion by Mr. Bilger, seconded by Mr. Prutzman approve Escrow Release No. 1 requested by Andy Roland for the Penn Avenue Car Wash Project located at 4621 Penn Avenue in the amount of \$117,101.50, and authorize the Manager to process the escrow release documents to the financial institution. All in favor yes. Motion passed unanimously.

9B. Escrow Release No. 1 for Performance Toyota: **TABLED to November 21, 2022 Meeting.** Jim Bickle on behalf of Performance Toyota is requesting escrow release number 1 (final) in the amount of \$108,620.00. The Township Engineer reviewed the requested Escrow Release from Mr. Bickle for escrow release number 1 related to the completed construction activities at the Performance Toyota Property on Penn Avenue. On Motion by _____, seconded by _____ approve Escrow Release No. 1 requested by Jim Bickle on behalf of Performance Toyota on Penn Avenue in the amount of \$108,620.00, and authorize the Manager to process the escrow release documents to the financial institution.

9C. Escrow Release No. 1 for Brian's Automotive Service: Brian Weaver on behalf of WEBE LLC is requesting escrow release number 1 (final) in the amount of \$40,266.00. The Township Engineer reviewed the requested Escrow Release from WEBE LLC for escrow release number 1 related to the completed construction activities at the Brian's Automotive Service new location at 6841 Penn Avenue. On Motion by Mrs. Johnson, seconded by Mr. Bilger approve Escrow Release No. 1 requested by WEBE LLC for the Brian's Automotive Service Center located at 6841 Penn Avenue in the amount of \$40,266.00, and authorize the Manager to process the escrow release documents to the financial institution. All in favor yes. Motion passed unanimously.

10. Recreation Board Updates: Mrs. Johnson has updates on recreation board items discussed at the October 3, 2022 Rec Board Meeting and Cindy Rowland from the GV Country Club will be attending. Mrs. Rowland noted that GV Country Club dba GV Swim Club. Mrs. Rowland and Tim Stover attended the meeting to discuss the Pickle Ball Courts. Mr. Prutzman has reached out to the company out of Exeter, but more than likely not until 2023 for cost estimates. The bathrooms for the Pool are open April to November. Mr. Bellwoar stated that there needs to be an Agreement between the Swim Club and the Township, and the Township does need the cost estimates to make decisions. Mr. Lehner asked for additional discussion on the pickleball courts. BOS thanked them on coming to the meeting. Yard sale was successful with 15 attendees. Santa Party on Dec 10th and from 2:00 to 5:00 photos with Santa and crafts.

11. Police Department – Chris Stouch, the Chief of Police will present the Police Department September 2022 Report. There was 1875.75 hours of service, 5,428 miles and a total of 202 incidents with 4 criminal and 6 motor vehicle accidents. He submitted a Grant for Body Cameras, In-Car Cameras, and License Plate Readers in the amount of approximately \$122,000 through the Pennsylvania Commission on Crime. The Grants are competitive, but the Chief is hopeful that the Township Police Department will be awarded the Grant and he will know by December 13, 2022.

12. Road Foreman – Matt Clay, the Road Foreman to present his September/September 2022 Report. The leaf springs on the 1997 Dump Truck, and the rear brakes need to be replaced before next years inspection. This vehicle has been more reliable than the 2010 International. Storm boxes for the year have been completed. Signs on Faust Road replaced with 30 MPH signs. Mowing is finished. New heaters are up and running. John Deere command screen needs to be replaced at a cost of \$2067.43, and a code was just thrown for an exhaust part, and he is obtaining additional quotes and this tractor still has another 10 years. A vehicle and equipment capital plan are being prepared. Need to revisit the Purchasing Policy Resolution, and all 3 approved of the tractor repairs even without the total costs. The 2010 International has transmission issues but he does not have a cost yet. Attended the Trade Show.

Manager/Secretary/Treasurer/Sewer Engineer

13. and 14. Bill List and Treasurers Report: The Bill Lists are for September 2022. On Motion by Mr. Bilger, seconded by Mr. Prutzman, approve the Bill Lists between the September 19, 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 \$1,170.20 for services rendered through August 26, 2022. **Gaul Road Bridge** Services included the preparation of the right-of-way and TCE exhibits, and E&S. On Motion by Mrs. Johnson, seconded by Mr. Bilger, approve remitting payment to Rettew Engineering out of the Bond Proceeds Account in the amount of \$1,170.20 for the Gaul Road bridge engineering services through August 26, 2022. All in favor yes. Motion passed unanimously.

16. Investment Income: **TABLED to November 21, 2022 Meeting.** Now that the interest rates have increased, it is time to shift the funds to financial institutions that have the best interest rates. On Motion by Mr. Bilger, ~~seconded~~ **No Second**, authorize the Manager to invest the Township Funds for maximum interest income at the Township's financial institutions, but remaining within funds. Mr. Prutzman will attend the meeting with PLGIT concerning the Township funds.

Solicitor - The Solicitor to present his September 2022 Report which shall include but is not limited to the following items 17 through 26:

Mr. Bellwoar announced that there were Executive Sessions on October 10th and October 17th (today). Mr. Bellwoar requested that the BOS add the personnel item to the agenda and Mr. Bilger and Mr. Prutzman approved to add the personnel item to the agenda, and also approved the issuance of letter as discussed in the Executive Session. Mrs. Johnson abstained.

17. Metering Manhole Project: Bids were opened on September 12, 2022 for the Metering Manhole Project which will meter all of the sewage flow from Lower Heidelberg Tributary to Spring Township Wastewater Treatment Plant and then all of the sewage flows will be at the bulk billing rate. There was no bid for the Electrical Contract, but there were three (3) bidders for the General Contract. The apparent General Contractor low bidder is DESCCO at a Bid of \$83,491.00. Recommend that the Board award the project to DESCCO in the amount of \$83,491.00 but conditioned upon the Township Solicitor reviewing the Bid Documents. On Motion by Mr. Bilger, seconded by Mr. Prutzman approve the award of the General Contract for the Metering Manhole Project to DESCCO in the amount of \$83,491.00 conditioned upon the Township Solicitor's satisfactory review of the Bid Documents. All in favor yes. Motion passed unanimously. To be paid out of the Sewer Fund.

18. New Resolution for Public Comment and Procedures: Resolution 2022-28 is being proposed which outlines the Public Comment Rules and Procedures during public meetings. On Motion by Mrs. Johnson, seconded by Mr. Prutzman, approve and adopt Resolution 2022-28 outlining the Public Comment Rules and Procedures applicable at all Township Board Meetings. All in favor yes. Motion passed unanimously.

19. Meeting Accommodation Request: A letter was submitted to the Supervisors requesting special accommodation in the meeting room(s) due to a hearing disability. Mr. Bellwoar noted that the municipality needs to engage the individual who requested the accommodation and Mr. Prutzman will meet with the individual this Wednesday, October 17, 2022.

20. Disabled Veteran Tax Exemptions: TABLED DUE TO LANGUAGE CONFLICTS. The municipalities vary on either full exemption on all taxes or no exemption on the non-real estate taxes. The BOS decided last month to not charge the Disabled Vets the non-real-estate taxes and to adopt a **Resolution 2022-29** outlining the Supervisor's Policy of the matter. On Motion by _____, seconded by _____, approve adopting Resolution 2022-29 outlining the Supervisor's Policy on **NOT charging** the Disabled Veterans and spouses the non-real estate taxes as long as they have the letter from the Department of Military and Veteran's Affairs stating they are exempt from the Real-Estate taxes. All in favor _____, opposed _____. Motion passed _____. Does not include surviving spouses suggested by Mr. Prutzman. Mr. Melson discussed his experiences with the PA Department of Military and Veteran Affairs with Disabled Veterans, and the process is very detailed to qualify for the exemptions. Federal certification of 100% and income threshold. What does the 100% disabled definition mean, and Mr. Melson explained 100% totally and permanently disabled. Threshold of income is \$92,000 just for the veteran including all income.

21. Little Cacoosing Project Documents and Maintenance Proposal: Solicitor Update on the status of the 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 were approved last month to be signed by the Supervisors when available. The Project is near to completion and the Township has received the Proposal for the 2022-2023 Maintenance by a division of Land Studies. **The amount for the monitoring and maintenance is \$5,600 for 2022.** The maintenance needs to begin straight-away to ensure the invasive species of including the Pear Trees and phragmites (grasses) do not start overtaking the BMP vegetation. On Motion by Mr. Bilger, seconded by Mr. Prutzman, approve of entering into a Maintenance Contract with Land Studies in the amount of \$5,600.00 for the maintenance during the remainder of 2022, and authorize the Manager to sign the Proposal. All in favor yes. Motion passed unanimously.

22. New Handicap Parking Space Request at 42 Sabrina Street: Mr. Lewis submitted a request for a handicap parking space on Sabrina between 42 Sabrina and 40 Sabrina. He is a disabled veteran. On Motion by Mr. Bilger, seconded by Mr. Prutzman, enter into an Agreement with the Township approve of the new Handicap space at 42 Sabrina, authorize the manager to contact the resident concerning the cost of the sign and materials, and authorize the Road Foreman to install the Handicap space where requested by the resident. All in favor yes. Motion passed unanimously.

23. Glen Ridge Estates Maximum Accessory Structure Size: Discussion was needed concerning the maximum square footage of 200 SF and what the Township can accommodate with pending permits, or not accommodate. A draft Memorandum of Understanding was sent to the Developer's Attorney. Mr. Bellwoar updated the BOS on the status of the MOU. Developer and HOA provisionally approved the MOU with various conditions. On Motion by Mr. Bilger and seconded by Mr. Prutzman all in favor of the MOU, so the Township approved.

24. New Resolution for Implementation of Amended Act 57 concerning Taxes: PSATS created a draft Resolution for municipalities to adopt the amendments to Act 57 that Governor Wolf signed into law. The Tax Collector does have concerns about some of the language in the Resolution. On Motion by Mr. Bilger and seconded by Mr. Prutzman to pass **Resolution 2022-32**. All in favor yes. Motion passed unanimously.

25. 2023 Budget: At this time, there are no anticipated tax increases. The general budget was prepared by staff, and it is foreseen that there will be new hires in the Police Department and in the Road Crew Department. The Budget will be presented at the November 16, 2022 BOS Workshop Meeting, to be approved to be advertised at the November 21, 2022 regular BOS Meeting and Adopted at the December 18, 2022 BOS Meeting. Additionally, long-term investments will be placed into reserves to create a Capital Reserve Fund. Police backfill position and Road Crew new position. Overall there is still a shortfall of two officers, so staff to meet with the Chief to discuss the platoons and overtime.

26. Municibid Gas Unit Heaters Bid Results: The highest bidder of the gas unit heaters was \$1,800 for the pair. The cost of the unit heaters was \$3,000. Ms. Stevens to go back to the HVAC Contractor.

27. BOS iPad's and SharePoint: Discuss the purchase of iPad's and the set-up of SharePoint through Stratix as these purchases were not in the 2022 Budget. Discuss authorizing the Manager to obtain quotes for the iPads and SharePoint and bring the quotes to the November 21, 2022 Meeting.

UPDATES:

Berks County Hazard Mitigation Plan: The Manager and Emergency Management Coordinator will continue to coordinate on the requested information, and the next meeting is on October 26, 2022 at 11:00 a.m. via Teams. The Manager is not able to attend this meeting, so a Supervisor shall plan on attending.

PREVIOUSLY TABLED ITEMS:

Lot 25 in Glen Ridge Estates patio and shrubbery encroachments into easements. Township and WBWA not in favor. Ms. Stevens to contact the property owner that both the Township and the Authority were not in Agreement with the encroachments.

DISCUSSED AT THE SEPTEMBER 14, 2022 WORKSHOP: Recreational Vehicle Parking: This Topic was discussed at the August 15, 2022 Workshop and was tabled to the September 14, 2022 Workshop to allow the Solicitor draft new language, and was tabled again for the Solicitor to draft more language. Mr. Bellwoar stated that Solicitor Long is circulating language including the definitions, and Ms. Stevens should check the status with the Supervisors. Mr. Lehner to send Ms. Stevens his suggested language.

DISCUSSED AT THE SEPTEMBER 14, 2022 WORKSHOP: Vermont Ave Safety Concern: Complaints have been submitted to the Township concerning the tight cartway created by parked vehicles on both sides of Vermont Avenue when school is in session. The Police Department is monitoring, and the School District has provided an alternate location in the Tennis Court parking lot for the parent pick-ups. The Chief reported that the Vermont safety issue has moved towards a solution and there is no longer a safety issue on Vermont at Green Valley Road.

Old Business

New Business

Public Comment on Any Non-Agenda Items Mr. Melson brought up the October 8, 2022 Article about the 3 Supervisors to 5 Supervisors and Mr. Melson would like to see something posted on the website. Mr. Lehner also discussed the same newspaper article that in his opinion is very one-sided. All 3 current Supervisors are in favor of the increase in the number of Supervisors.

Adjournment Mr. Bilger and seconded by Mr. Prutzman to adjourn and all in favor and 8:59 p.m. to adjourn.

Respectfully Submitted

Pamela J. Stevens, Manager/Secretary/Treasurer

DRAFT