

LOWER HEIDELBERG TOWNSHIP BOARD OF SUPERVISORS

BOS Action Agenda – Regular Meeting Minutes

Monday, February 20, 2023

Attendance

Board of Supervisors:

Paul Prutzman
Cheryl Johnson
Chip Bilger

Other Attendees:

Chief Stouch – LHT Police Dept.
Matt Clay – Road Crew
Glenn Kraft – Zoning Officer
Ryan Rhode – Engineer
Ralph Johnson – Sewer Engineer
Dean Hartman – Planning Comm. Chair
Tony Tucci – Ambulance Director
Jonathan Long – Solicitor

Call to Order at 7:00pm

Pledge of Allegiance

1. **Minutes:** Consider for approval the minutes from the December 19, 2022, and January 16, 2022, Regular BOS meetings and the January 3, 2023 BOS reorganization meeting.
 - a. Motion to approve **December 19, 2022 Regular BOS Meeting minutes** made by Chip Bilger (BILGER), seconded by Cheryl Johnson (JOHNSON). All in favor, none opposed – Motion PASSED unanimously
 - b. Motion to approve **January 16, 2023 Regular BOS Meeting minutes** made by BILGER, seconded by JOHNSON. All in favor, none opposed – Motion PASSED unanimously.
 - c. Motion to approve **January 3, 2023 BOS Reorganization Meeting minutes** made by BILGER, seconded by JOHNSON, as corrected. All in favor, none opposed – Motion PASSED unanimously. Grammatical correction made.

PUBLIC COMMENT ON AGENDA ITEMS ONLY

- Motion made to amend agenda to include report from Recreation Board, as item is regularly on the agenda, however was mistakenly omitted - made by Paul Prutzman (PRUTZMAN), seconded by JOHNSON. All in favor, none opposed. Motion PASSED unanimously. Agenda amended to include Recreation Board Report.
2. **Tax Collector:** Sharon Boyer, Township Tax Collector – presented January 2023 Report. County & Township tax bills shall be going out by March 5th.
 3. **Library:** Leigh-Anne Yacovelli, Library Director – presented January 2023 Report.
 - a. Not present – PRUTZMAN gave report.

4. **Recreation Board** – JOHNSON – presented February 2023 Report:
 - a. Earth Day tree planting at Township, May 13th – spring yard sale – Green valley Elem school upper parking lot 7am – 12, and August 8th – National Night Out – rec board will assist PD
5. **Fire Commissioner:** Jared Renshaw, Fire Commissioner – presented January 2023 Report.
 - a. Discussed Fire Expo in Columbus, OH, and gave commendations to Glenn & Ryan of Kraft for assistance with Drone program – specifically helping to procure thermal camera.
6. **Emergency Management Coordinator (EMC):** Justin Schlottman, EMC.
 - a. Not present –hold December and January reports to March BOS meeting.
7. **Ambulance:** Tony Tucci, Ambulance Director – presented January 2023 Report.
 - a. Losing 2 stations in the southern area of territory and scaling back certain operations.
8. **Police Department:** Chief Christopher Stouch – presented January 2023 Report.
 - a. Presented commendation to Ofc. McCary & Det. Smith – for saving life of Township resident, gave incident report, and the Department is reviewing contract with Wilson School District for school resource officer reimbursement.
9. **Road Crew:** Matt Clay, Road Crew Foreman – present January 2023 Report.
 - a. Crew repaired various Township vehicles, conducted work across the Township, and took part in various trainings.
 - b. Go Pro camera batteries are beginning to diminish, therefore the Road Crew is looking at getting new cameras (\$250 – 500)
 - i. Motion to authorize purchase of new Go Pro cameras, with a not to exceed price of \$500 per camera made by BILGER, seconded by JOHNSON. All in favor, none opposed. Motion PASSED unanimously.
10. **Planning Commission:** Dean Hartman – presented February 2023 Report.
 - a. February meeting:
 - i. 4212 Hill Terrace – recommended project with requested waivers.
 - ii. Legacy at Papermill – reviewed changed plans after Legacy changed the plans back in 2021, the Planning Commission is against the change of plans due to the previous changes not being recommended.
 - iii. Penn Ave. Car Wash – Applicant wants to make changes to accommodate equipment and says it needs more space. Planning Commission told applicant to look for other equipment that wouldn't require change in zoning and report back as to whether they can find different equipment.
 - iv. Bank at Green Valley & Penn Ave – the Planning Commission heard a presentation on a proposed automotive garage at this property. The

Planning Commission suggested that zoning relief be sought first, prior to further review of the plans by the PC.

11. **Building/Zoning:** Glenn Kraft – Zoning Officer, Kraft Code Services – presented January 2023 Report.
 - a. Addressed 3 zoning hearings set for February 22nd and asked BOS for its position on the applications:
 - i. 4621 Penn Ave. – March 14th – BOS – No position.
 - ii. March 14 – Legacy at Papermill – design changes to apartment buildings – BOS – No position.
 - b. Jan 26th ZHB hearing – special exception on Thune Property– was approved by ZHB.
12. **Sewer Engineer:** Ralph Johnson, SDE, Township Sewer Engineer – presented January 2023 Report.
 - a. Waste water – Spring Township treatment plant – additional electrical materials and supplies needed. OCC has submitted proposal for changes – SDE is recommending change order be approved – motion to approve change order made by BILGER, seconded by JOHNSON. All in favor, none opposed. Motion PASSED unanimously.
 - b. PA DEP Annual Report – SDE willing to prepare minor report and cost would not exceed \$750 to prepare. Motion to approve SDE preparing DEP Annual Report for not to exceed price of \$750 made by BILGER, seconded by PRUTZMAN. All in favor, none opposed. Motion PASSED unanimously.
 - c. Sewage enforcement permits that exceed 5 year storage time frame to be destroyed – BOS was fine with destroying permits that are over 5 years old in accordance with legal retention schedule.
 - d. Chapter 94 reports – deadline to submit is March 31st and have to prepare for each plant. BOS gave approval for SDE to prepare and submit at next BOS meeting for approval by BOS in time to meet March 31st deadline.
 - e. Difficult time locating intermunicipal agreements – have reached out to other municipalities to collect the agreements. BOS in support of taking that approach.
 - f. ARPA Grant – awarded to Township through county – working with BILGER to make sure grant secured – discussion be held about meeting all grant requirements. WRPA – drafting the agreement between Township and Authority – meeting to finalize.
13. **Engineer:** Ryan Rhode, Township Engineer – presented January 2023 Report.
 - a. Rettew bid – Received on February 17th – Gaul Road Bridge Project;
 - i. 8 bids in total received.
 - ii. Lowest bid = \$500,948.94 – DESCCO Design & Construction
 - iii. Rettew recommends approval of this bid as it is under the estimates to repair the bridge.
 - iv. Motion to approve the DESCCO bid and award contract made by BILGER, seconded by JOHNSON. All in favor, none opposed. Motion PASSED unanimously.

14. **Escrow release for Cacoosing Crossing North Phase 2:** Ryan Rhode, Engineer.
 - a. Sanitary sewer related – reviewed by SDE – SDE and Township engineer recommend approval of escrow release #4 in the amount of \$289,120.00 Motion made to approve escrow release by BILGER, seconded by JOHNSON. All in favor, none opposed. Motion PASSED unanimously.
15. **4212 Hill Terrace Drive Subdivision Approval:** BOS – discussed potential approval of preliminary/final plans for subdivision of 4212 Hill Terrace Drive.
 - a. Motion to approve preliminary/final subdivision plan, including any requested waivers and deferrals and subject to Township Engineer review letters made by BILGER, seconded by JOHNSON. All in favor, none opposed. Motion PASSED unanimously.
16. **Fastbridge Fiber:** Ryan Rhode, Engineer.
 - a. Engineer has been in contact with for about 1 year, they are a utility contractor (fiberoptic cable provider), installing residential lines direct bored under streets.
 - b. The plan is to permit them in quadrants within Township, so that they are only working in one particular area at a time.
 - c. Engineer is having a meeting with Fastbridge tomorrow (2/21) at 1pm to review expectations for work and permitting and escrowing and how work can coexist with pending street work this spring/summer. Engineer would like other Township representatives to be present if available.
17. **Bills List:** Secretary/Treasurer PRUTZMAN – presented the February 2023 Bills List for approval.
 - a. Motion to approve Bill List made by JOHNSON, seconded by BILGER. All in favor, none opposed. Motion PASSED unanimously.
18. **Treasurer's Report:** Secretary/Treasurer Paul Prutzman – presented January 2023 Treasurer's Report.
 - a. Tomkins Bank - \$4,846,586.00 balance – increase of ~\$32,000 since end of Dec.
 - b. 1st Nat'l Bank– inactive accounts – stored money - \$1,065,000.
 - c. PLIGET – had roughly \$9,450,000 in those accounts – interest income of ~\$45,000.
 - d. More than \$15,319,071 in various accounts, state of finances is good and solid.
19. **Solicitor's Report:** Jonathan Long, Solicitor
 - a. Held 3 Executive sessions 2/6 & two sessions on 2/20 to discuss recruiting and personnel matters.
20. **Resolution 23 – 05 – Approval of EMC Intermunicipal Agreement with South Heidelberg Township:** Jonathan Long, Solicitor.
 - a. Motion to approve and adopt resolution 23-05 made by BILGER, seconded by JOHNSON. All in favor, none opposed. Motion PASSED unanimously.

21. **Fence Encroachment Agreement – 115 Teaberry Court:** Jonathan Long, Solicitor – Agreement and plans have been reviewed by Solicitor and Zoning Officer. Recommended that BOS approve and sign agreement. Agreement already signed by owner.
- a. Motion to approve fence encroachment agreement for 115 Teaberry Court made by JOHNSON, seconded by BILGER. All in favor, none opposed. Motion PASSED unanimously.
22. **PennDOT Mowing Contract:** PRUTZMAN – presented on contract with PennDOT for mowing in the Township. PennDOT paying Township to mow.
- a. Motion to approve mowing contract with PennDOT made by BILGER, seconded by JOHNSON. All in favor, none opposed. Motion PASSED unanimously.
23. **Styrofoam Recycling:** BOS – Discussed whether to continue accepting Styrofoam as part of Township recycling program.
- a. Discussion – Recycling it for some period of time – Recycling plant no longer takes the Styrofoam, so now have to load it up and take it to a location near Lititz to dump. Stored in trailer and drive out 3 to 4 times per year.
 - b. Withdrawn as motion – tabled until March 2023 meeting.
24. **CODE Red Program Renewal:** BOS – discussed expansion of program.
- a. Communications system used by Township to send out messages to those who have subscribed – important events, emergencies, etc.
 - b. Township has subscribed for another year – but want to get more people in Township to use it.
 - c. Will put out information at various Township events.
25. **Ratification of Hiring of Cipriani & Werner as labor counsel:** BILGER – BOS ratified hiring of law firm of Cipriani & Werner, P.C., as labor counsel for Township.
- a. Motion to ratify hiring of Cipriani & Werner, P.C., as labor counsel made by BILGER, seconded by PRUTZMAN. All in favor, none opposed. Motion PASSED unanimously.
26. **Ratification and Welcome of New Employees:** PRUTZMAN – BOS ratified hiring of Barb McIlvee and Janine Mullen, new Township employees. Welcome to Township.
- a. Motion to ratify hiring of Ms. McIlvee & Ms. Mullen made by BILGER, seconded by JOHNSON. All in favor, none opposed. Motion PASSED unanimously.
27. **Trash & Recycling Fee:** BOS – discussed Township's trash and recycling fees.
- a. The Township has determined that it is approximately \$40,000 short on recovery of trash costs for trash fees. The Township is in the last year of multi-year trash contract with Mascaro. The current cost per household for trash collection is \$246/year. Costs all going up – so costs are likely going to go up. Township's fee compared to surrounding municipalities is rather low.

- b. Motion to raise the Township's trash and recycling collection fee by \$20 to \$266 this year made by PRUTZMAN, seconded by BILGER. All in favor, none opposed. Motion PASSED unanimously.
28. **Parking on Township Road for Spitler's Tow Truck Driver:** JOHNSON – BOS discussed Spitler's on call tow truck driver parking on Township roads.
- a. Question from Spitler's Towing – one of their employees lives on Buck Street, and while on call has been parking his truck on E. Wilson and Buck Street – homeowner nearby is ok with it. Employee works nights and weekends – 24/7 parking needed therefore.
 - b. Chief Stouch will look into the issue and see if there is any regulation or safety concern and report back to the BOS.
29. **Zoning Application of Legacy 2:** BOS – Discussion on whether Board will take a position on application.
- a. See Item #11 – BOS took no position.
30. **Zoning Application of 4621 Penn Ave Car Wash:** BOS – Discussion on whether Board will take a position on application.
- a. See Item #11 – BOS took no position.

PUBLIC COMMENT ON NON-AGENDA ITEMS

- 1. Barbara Brenner – 18 Green Valley – Thank you for installing the “No Littering” signs along Gaul Road.
- 2. Joanne Schwalm – 545 Stitzer –
 - a. Update on the paving on College Ave.
 - b. Asked about Township street lights.
 - c. Asked about uneven sidewalks near her property.
- 3. Ron Witman – 519 Gaul –
 - a. Asked about the schedule to repair his section of Gaul road.
 - b. Brought up property on Lisa Road– owner has a number of cars and is parking them off his property along the streets.
 - c. Had questions about the lines painted on Gaul Road.
- 4. Sharon Boyer – 612 Brownville – brought up the fatal accident in the Township and pointed out that on Bluemarsh it is difficult to see, it is a bad intersection.

Adjournment. Motion to adjourn BILGER, seconded by PRUTZMAN – ALL IN FAVOR – adjourned at 9:00pm

Next Resolution: 23 – 06

Approved 3/20/23
