

# HEIDELBERG TOWNSHIP BOARD OF SUPERVISORS

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## **June 28, 2016 MEETING MINUTES**

### Board members present:

Paul Fetter – Chairman  
Ted Cromleigh  
Bruce Kramer

### Others present:

Jennifer Snyder – Office Manager  
Bob Lynn – Township Engineer  
Fred Wolf – Township Solicitor  
2 members of the public

The meeting was called to order at 7:04 by Chairman Fetter, followed by the Pledge of Allegiance to the Flag.

A call for public comment was made. Cindy Oxenreider of 307 Sheep Hill Road was in attendance to discuss invoices she has received in response to complaints at her property. Chairman Fetter turned the discussion to Vice Chairman Ted Cromleigh due to prior involvement with the situation. Mrs. Oxenreider is concerned about the fines she is receiving for issues that were partially on the neighbors' properties. Mr. Cromleigh explained that conversation took place with her son Eric Oxenreider since he was logging on the property and creating new driveways to do so. Mrs. Oxenreider stated the driveways were on other people's properties but they agreed to use them with Eric. She also explained that Township officials came to her property to investigate a sawmill operation but found that was not the case. It was explained that neighbor complaints drove the investigation since they saw loads of lumber being brought onto the property. Bob Lynn stated that he also discussed the issues with the driveway and debris onto the roadway with Eric and told him what he should do to fix the problems. Mrs. Oxenreider expressed that she as the property owner should have been notified. Mr. Cromleigh was hopeful that Eric spoke to her regarding the issues with the property but apparently he did not. Mrs. Oxenreider felt that a warning would have been appropriate first, but instead received fines. Mr. Lynn stated that letters had originally been sent the beginning of April, but were returned undelivered. Luann Lutz who was with Mrs. Oxenreider stated that the certified letters would have been stamped refused if she refused them. Mr. Lynn said he will check the address to see if they were addressed incorrectly. Bruce Kramer said that can be investigated by Mr. Lynn. Mrs. Oxenreider feels singled out. Mr. Kramer explained that there are other issues being worked on in the Township, but once a complaint is received, it must be looked into. He explained that with both Ted and Bob talking to Eric, the problem should have been rectified at her property. Since he chose to ignore the verbal warnings, then the Township had no choice but to do a full investigation of the driveway issues and the complaints about the possibility of a sawmill operating on the property. Chairman Fetter wished to explain that he did speak to Eric some time ago about obtaining a driveway permit for one of the entry points he began using when he started logging Mrs. Oxenreider's property. Ms. Snyder noted that Eric had been at the Township to get a permit application but did not return it to the office. Mrs. Oxenreider is concerned about the fines for her and her mother's property on Weidman Road. Mr. Kramer explained that the loggers were seen using her mother's property and driveway and that is why her property was reviewed. He also explained that neither of them were receiving fines, but were receiving bills from the professionals who investigated the complaints. Mr. Kramer said Mr.

Lynn will investigate the returned notices and to hold payment on the invoices Mrs. Oxenreider received for her property.

A review of the meeting minutes from June 14, 2016 was conducted. **A motion was made by Bruce Kramer to approve the Minutes of the meeting of June 14, 2016 and was seconded by Ted Cromleigh. The motion was approved.**

Bills for the Township were submitted and reviewed for payment. **After review, Bruce Kramer made a motion to accept the bills as submitted for a total of \$37,730.97 from the Light Fund and General Fund and payroll. Ted Cromleigh seconded the motion and the motion carried.**

Bills for the Sewer account were submitted and reviewed for payment. **After brief discussion, Bruce Kramer made a motion to accept the bills as submitted for a total of \$7,662.74. Ted Cromleigh seconded the motion and the motion carried.**

Bills for HTMA were submitted for review and payment. Discussion regarding payroll expenses was held. Ms. Snyder explained that monthly payroll by Garcia, Garman and Shae was \$52.50. Quarterly a bill of \$200 was paid for their work to file and pay quarterly taxes. The Board asked if it was possible to purchase a seat on the Freedom Payroll system and have Nadine's check cut in-house. Ms. Snyder said she would contact Freedom Software regarding the matter. At this time, Solicitor Wolf discussed closing the Municipal Authority and transferring the assets to the Township. This would make operations and other decisions easier. Should the Municipal Authority continue operations and have Board members appointed it could be reestablished at any time. The Board will have to review how to proceed with that action. **After brief discussion Bruce Kramer made a motion to accept the bills as submitted for a total of \$15,161.83. Ted Cromleigh seconded the motion and the motion carried.**

#### Engineer's Report

Bob Lynn presented the Engineer's report.

NA Martin Plumbing has requested release of escrow money held for Lot 15 on North Prospect Hill Drive. Mr. Lynn said that Hanover has no objections to the release. **After discussion, Bruce Kramer made a motion to release the remaining escrow held for NA Martin Plumbing Lot 15. Chairman Fetter seconded the motion and the motion carried.**

Pat Kreiser of Kreiser Construction has requested a release of money held on a Letter of Credit for Lot 1 on Horse Happy Road. He is also requesting a waiver of as-builts and a deferment of improvements in conjunction with Lot 2 driveway. Lot 2 has been sold and the owner would need to post their own letter of credit if they intend to do improvements. Mr. Lynn noted that there remains a small amount of items that need to be completed, but Mr. Kreiser has posted a \$500 check to cover the items. Because of that, Mr. Lynn does not have a problem releasing the letter of credit, waiving the as-built drawings and the improvements to the driveway apron to Lot 2. **After discussion Bruce Kramer made a motion to release the Letter of Credit, waive the as-built requirement and waive the paving of the driveway apron until Lot 2 is improved upon. Ted Cromleigh seconded the motion and the motion carried.**

Discussion was held regarding a sidewalk improvement project by Merle Oberholtzer on Heidelberg Ave. Mr. Lynn is helping him to make the repair to specifications.

The HTMA waterline relocation project on Route 897 is slated to begin next month. AH Moyer is doing the repairs and will have the job completed in the 21 day timeline allotted.

Kohl Brothers is working on building the control panel for Pump #3 at the well house. Once that is complete and installed, the replacement of well pump #5 can begin. It was detected that valves are leaking coming into the well house and need to be replaced. Bruce Kramer suggested getting prices from L/B Water for the parts and have Kohl Brothers replace the valves while doing the pump work. Everyone agreed that was a good approach to take for the repairs.

It was found that Art Groff was depositing fill on his lot on Distillery Road. Mr. Lynn sent him a notification that he was not allowed to do so without approvals. He noted that Mr. Groff has hired an engineer to develop a site plan.

Comcast received a permit to install a cable line to the new home at 116 Mill Road. When installing the cable line boring under Mill Road, they used an improper drill size and lifted a section of the road. Mr. Lynn talked to the contractor about making the repair. He is recommending they mill a section of the road and repave it. Ted Cromleigh stated they must use a PA licenses contractor to do the work. It was suggested we get a price from Martin Paving for the work since they will be doing the work on Distillery Road in the coming months. Then the Comcast contractor can reimburse for their work. Mr. Lynn will speak to the contractor about their options.

### Solicitor's Report

The Solicitor' Report was presented by Solicitor Wolf.

Solicitor Wolf discussed the reimbursement for the EDU's purchased but not needed for mandatory connects or those reserved for vacant lots. Vacant lot owners who signed the agreement will get five years from the date of the agreement to use the reserved capacity. Property owners who are faced with liens for unpaid tapping fees will have to pay the higher price for the COLA Capacity and it will be included in the lien. Property owners with agreements that are current should be able to retain the original pricing. Those that have paid the tapping fee but are waiting for contractors to perform the work will not have to pay the new pricing.

The Sunoco agreements have been signed by their agents and are here to be signed by the Board. They included a \$5,000 to cover expenses to date involving the Road Bonding agreements. It was determined that all Street Cut and Driveway Permit Fees would be waived since their costs will be captured in either Solicitor Wolf or Hanover Engineering's invoices. **After brief discussion, Ted Cromleigh made a motion to accept and sign the Sunoco Road Bonding Agreements. Bruce Kramer seconded the motion and the motion carried.**

The Police Pension Fund is held with Fulton Financial until an annuity can be purchased to continue serving the remaining officer collecting on the plan. It has been difficult to find a company that will hold the annuity and file the tax paperwork. Our pension actuary firm Conrad Seigel determined that \$60,000 placed in an annuity would be adequate to serve the remaining participant. Both investment firms stated they have an entity to purchase the annuity, but neither can find someone to file the taxes. A local accounting firm is willing to do tax paperwork and Solicitor is working on getting rates for their work. We need to get the annuity purchased so the remaining money can be transferred to the Township and fees cease to be paid to Fulton Financial. Chairman Fetter asked why it was the Township's responsibility to find someone to do the tax work. Solicitor Wolf explained that the pension plan provides for all payments and tax forms to be distributed by the Township or an agent acting on their behalf. The 1099R must be produced and filed with the IRS and mailed to the recipient.

The sale of the old police firearms will take place at Horst Auction on August 6<sup>th</sup>. An ad will be placed in the Lebanon Daily News alerting the public of the sale.

Solicitor Wolf discussed the truck that hit the guardrail on Sheephill Road near Fountain Park. A claim was submitted to their insurance company and we are awaiting a response from them on the reimbursement for damage repairs.

Solicitor Wolf discussed the Zoning Hearing Board decision regarding the property at 443 Sunnyside Road. The Board granted the special exception but denied the requested variance for operating the business on a non-collector street. The attorney for the Martin's who own 443 Sunnyside Road may appeal the decision.

The Lien and Sewer collection list provided by Amy Leonard of Henry & Beaver was reviewed. Solicitor Wolf described the process of collection on a municipal lien. Ms. Leonard has already contacted some of the mortgage companies of the properties we have executed liens on for resolution.

## **OLD BUSINESS**

There was none.

## **NEW BUSINESS**

There was none.

### Sewer/HTMA Update

The reports from Select Environmental for May operations were reviewed.

Bruce Kramer noted a large one-day increase in sewer flow. He said he will discuss the matter with Select Environmental to try and determine where it came from and when. A possible illicit discharge could have caused the spike and the matter should be looked into.

The report for HTMA noted work on a leak on North Market Street. Bruce Kramer explained that the 4" line was shut off to the house to isolate the problem and Ray Moyer made the repair for the home owner. His employee helped to locate the shut-off and Mr. Kramer agreed to have HTMA pay for that portion of the bill. It was determined that the line to the property is a lower pressure rated line than what should be in place. The Board asked that a letter be written to the property owner stating that he needed to upgrade the line to correct standards.

A quote was received for repairs to the pond at Marshall Kramer's house. The pond no longer receives water pressure to maintain it since the installation of the sewer line in the area. Ted Cromleigh noted that the electric line to the home to run the pump is the most expensive item and wondered if a quote could be sought using a solar pump. Bob Lynn concurred noting that many Amish use that type of pump to run water to many sources on their properties. Bruce Kramer would like names of companies that will install that type of pumps and he will pass them on to Marshall. Chairman Fetter asked if water was running to the spring house at the Historic Schaefferstown Farm. Bob Lynn said he did not hear anything from Alice Oskam from Historic Schaefferstown about the matter.

A quote was received from Steve Dove to replace the gates at the sewer pump stations. They have become very difficult to open and the best way to correct the issue is the change the type of gate. Ted Cromleigh asked if a second quote could be obtained, possibly from Agway.

Prices were received to fix the out-of-service hydrants within the water system. AH Moyer returned a price to replace them around \$27,000. L/B Water returned a price to supply parts to repair them and have the work done by Select Environmental. The approximate price for repairs is around \$5,000-\$7,000 including parts and labor. The Board agreed to do the repairs. Mr. Kramer noted that one of the hydrants is a small Darling brand that if unrepairable, will be eliminated. There are hydrants located very close that would service the properties in the same fashion. Ted Cromleigh asked if the hydrants could be painted as well. Discussion was held regarding hiring a summer worker to perform the task. The roof at the HTMA Well House needs to be repaired and the Treatment facility needs the roof brushed and painted. Prices will be sought from contractors for the work.

The Flow Comparison for the month of June to date was evaluated.

Ms. Snyder asked for clarification on the Final Meter Fee charge of \$25 enacted via Resolution last month. Since HTMA and the Sewer System both generate bills for water customers, Ms. Snyder wondered if some of the money should go to HTMA for their portion of work. The Board agreed and stated that \$10 of the Final Meter Fee should be given to HTMA for customers within the public water system.

### EIT Update

The May 2016 EIT update was included for review.

Secretary Report

A quote was received from Steve Dove for replacing the fencing at the baseball field at the Township Building. The Board asked that a price from Agway fencing be sought since the project will likely only take place next year.

Chairman Fetter stated that Township crew were working in the recreation area around the baseball field and noticed that the concession stand is in need of repair. Discussion on how to make the repairs ensued and Chairman Fetter said there may be a Vo-Tech student who would like to do the repairs if we buy the materials needed. Further discussion will be needed to determine what to do.

A notice from the Penn State Ag Center was received with an offer of free trees to municipalities.

The Board entered into Executive Session at 9:28 to discuss potential litigation issues. The Board reconvened at 9:35 and no decisions were made.

**At 9:40, Bruce Kramer made a motion to adjourn, which was seconded by Ted Cromleigh. All were in favor, and the motion carried.**

The next meeting of the Heidelberg Township Board of Supervisors will be held on July 12, 2016 at 7:00pm in the Municipal Building., 111 Mill Rd. Schaefferstown, PA 17088.

*Minutes recorded by Jennifer Snyder*

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Secretary