

HEIDELBERG TOWNSHIP BOARD OF SUPERVISORS

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October 25, 2016 MEETING MINUTES

Board members present:

Paul Fetter – Chairman
Ted Cromleigh
Bruce Kramer

Others present:

Howard Leed – Road Foreman
Jennifer Snyder – Office Manager
Bob Lynn – Township Engineer
Fred Wolf – Township Solicitor
8 members of the public

The meeting was called to order at 7:06 by Chairman Fetter, followed by the Pledge of Allegiance to the Flag.

A call for public comment was made. Pam Bishop from the group Concerned Citizens of Lebanon County was in attendance to discuss the Sunoco Pipeline work occurring in the County, including the portion running through Heidelberg Township. She discussed recent court findings and the status of the pipeline project review from the Army Corp of Engineers. The Board thanked Ms. Bishop for her information.

A review of the meeting minutes from September 27, 2016 was conducted. **A motion was made by Bruce Kramer to approve the Minutes of the meeting of September 27, 2016 and was seconded by Ted Cromleigh. The motion was approved.**

Bills for the Township were submitted and reviewed for payment. Brief discussion regarding the bill from Five Star International ensued. Ted Cromleigh asked if we can recoup any money spent on Hanover services for the Mill Road damage. Jen Snyder stated she will try and send them a copy of the bill. **After review, Bruce Kramer made a motion to accept the bills as submitted for a total of \$83,135.60 from the Light Fund and General Fund for bills and payroll. Ted Cromleigh seconded the motion and the motion carried.**

Bills for the Sewer were submitted for review and payment. Ms. Snyder noted that the check for the Linda Sue Garden capacity for the City of Lebanon was included in these invoices. **After brief discussion Bruce Kramer made a motion to accept the bills as submitted for a total of \$83,588.32. Chairman Fetter seconded the motion and the motion carried.**

Bills for HTMA account were submitted and reviewed for payment. The Board asked how many more payments are left on the Jonestown Bank Loan. Ms. Snyder stated there are two payments left for 2017 and the load will be paid in full. **After brief discussion, Bruce Kramer made a motion to accept the bills as submitted for a total of \$13,820.46. Ted Cromleigh seconded the motion and the motion carried.**

A Treasurer's Report including cash deposits, and PLGIT bank statements and budget comparisons for September 2016 was submitted for review. There were no questions or comments.

The Road Foreman's Report for September 2016 was reviewed. The GasBoy report for September was also reviewed. Howard Leed discussed ordering a cinder spreader for the Dodge Pickup truck. The item is in the budget from the Capital Reserve Fund. The Board reviewed pricing from A&H

Equipment and Feedmobile, Inc. The Feedmobile, Inc. pricing was lowest at \$3,567. **After review, Chairman Fetter made a motion accept the pricing from Feedmobile, Inc. of \$3,567.00 for the purchase of a box cinder spreader. Ted Cromleigh seconded the motion and the motion carried.** Howard Leed discussed the tires needed for the tractor and the backhoe. He noted that he requested pricing for turf-style tires, but they were not available for those size tires. It was noted that McCarthy pricing included installation of the tires and their pricing is available through the Costars program. **After brief discussion, Bruce Kramer made a motion to purchase the tires for the John Deere 6310 tractor and the backhoe from McCarthy Tires for \$3,377.00. Ted Cromleigh seconded the motion and the motion carried.**

The Zoning Officer's Report for September 2016 was submitted for review. The Board discussed a few zoning issues addressed on the report.

The State Police Report for September 2016 was reviewed.

The Planning Commission Minutes from their August 2016 meeting were reviewed.

Engineer's Report

Bob Lynn presented discussion on engineering matters.

Charles Yourshaw was in attendance to discuss the Clarence Weaver Land Development Plan for a working dairy operation at 826 North Market Street. Ted Cromleigh noted that the cow barn is already under construction and discussed how this could occur when the plan was not approved yet. Mr. Yourshaw offered no explanation for the matter. Mr. Cromleigh stated that all construction must cease on the building until plans are recorded and all necessary permits are received. Mr. Yourshaw discussed the proposed plan where the Weaver's son is intending to build a 70,000 SF cow barn and 120' manure pit to turn the farm into a dairy operation. Bob Lynn noted that Planning Commission gave the Weaver's conditional approval based on their need to secure some issues along the creek that runs through the farm. Solicitor Wolf noted that the agreements are completed, but the Stormwater Management agreement needs new exhibits before it can be recorded. Mr. Yourshaw discussed waivers that are being requested such as water quality and recharge, pipe diameter and easement widths. One noted waiver was the planting of trees or shrubs along the riparian buffer and the desire to place cattle fencing along the creek instead. Bruce Kramer noted that he will visit the farm site tomorrow and will ensure that no construction work is performed on the barn until all approvals are received. **After further discussion, Bruce Kramer made a motion to approve all waivers requested. Ted Cromleigh seconded the motion and the motion carried.** The Improvement Guaranty of \$71,148 is in place via Letter of Credit. **After brief discussion, Ted Cromleigh made a motion to approve the Improvement Guaranty and the Stormwater Management Agreement. Bruce Kramer seconded the motion and the motion carried. Lastly, Ted Cromleigh made a motion to approve the Clarence and Marion Weaver Land Development Plan and Stormwater Management Plan. Bruce Kramer seconded the motion and the motion carried.**

Bob Lynn discussed the Major Land Development Plan for the Prospect Hill Estates Lots 18, 21 & 22. Kim Graybill from Pioneer Management is in attendance to discuss the plan. Patrick Kreiser has purchased the lots and is intending to build homes on them pending approvals. Planning Commission has recommended approval and the escrow for the Improvement Guaranty is in place at the bank. Waivers are requested for recharge time, pipe diameter easement width and a few other items. **After brief discussion, Ted Cromleigh made a motion to approve the waivers requested. Bruce Kramer seconded the motion and the motion carried.** Brief discussion regarding the Stormwater Management Agreement and the Improvement Guaranty was held. Ms. Snyder noted that the amount of \$36,077.80 was deposited in a cash escrow at Fulton Bank yesterday. **Ted Cromleigh made a motion to approve**

the Stormwater Management Agreement, Easement Agreement and Improvement Guaranty. Bruce Kramer seconded the motion and the motion carried. Finally, Ted Cromleigh made a motion to approve the Major Land Development Plan for Patrick Kreiser at the Prospect Hill Estates Lot 18, 21 & 22. Bruce Kramer seconded the motion and the motion carried.

Highway Materials submitted a rectifying change order and a final bill of the 2016 Paving Projects. The Rectifying Change Order resulted in a decrease in the bid price by \$15,976.99. The change order included eliminating Chapel Road paving and adding Miller Street, Mary Drive and an extra piece of Distillery Road onto the paving list. Along with the Change Order 1, the final bill amount is \$213,363.93. **After review, Chairman Fetter made a motion to approve the rectifying change order and the final bill for paving from Highway Materials in the amount of \$213,363.93. Bruce Kramer seconded the motion and the motion carried.**

The Doug Horning Poultry Barn Land Development plan has offered a 240 Day Time Extension. They are awaiting responses back from another entity before continuing with the plan. Planning Commission accepted the extension at their last meeting. **After brief discussion, Ted Cromleigh made a motion to accept the 240 Time Extension on the Doug Horning Poultry Land Development plan. Bruce Kramer seconded the motion and the motion carried.**

Karen Rick submitted a request for the release of her held escrow and a waiver of as-builts for her minor stormwater plan. Bob Lynn said Hanover staff completed inspections through the project and did not have an objection to the waiver request or the release of the escrow. Ted Cromleigh abstained from discussion on the matter based on previous involvement with the plan. **Bruce Kramer made a motion to grant the waiver of as-built request and release the held escrow for \$3,795.34. Chairman Fetter seconded the motion and the motion carried.**

Matt Aufer has requested a time extension on his minor stormwater plan approval. Because it is a minor plan, there does not need to be a formal approval of the request. Mr. Aufer needs to seek relief from the Zoning Hearing Board for the set-back distances from Stohler Lane. The Board acknowledged the request.

Ervin Newswanger's engineer contacted Mr. Lynn regarding the Army Corp of Engineer's interpretation of the sewer extension and the necessity for a bog turtle study. Discussion was held about options to gain Mr. Newswanger access to the sewer without it being a true extension of the system. The possibility of running his sewer line in the Utility Right of Way and connecting with a grinder pump was explored, but noted that Mr. Newswanger would need to sign an agreement that he would be responsible for all maintenance. Mr. Lynn with discuss the matter with Dave Siminitis from Larson Design.

Solicitor's Report

The Solicitor's Report was presented by Solicitor Wolf.

Solicitor Wolf noted that he is preparing the resolution and advertisement for the appointment of the auditor for the 2016 Audit.

All briefs are filed for the court hearing for 443 Sunnyside Road. Oral arguments are to be heard on Monday according to Solicitor Wolf. He did supply a brief from the Board supporting the Zoning Hearing Board's decision.

The Ordinance to ban unlicensed cars and boats, campers and tractor trailers is being composed. When complete, Solicitor Wolf will email the draft Ordinance to the Board for review.

Resolution 834 was presented to terminate the Police Pension. Included in the resolution is an allowance for Mr. Cromleigh and Mr. Kramer to execute any paperwork necessary in the termination with Fulton Financial and an allowance for Mr. Cromleigh and Ms. Snyder to execute any paperwork or transactions for the transfer of the money on the Township's behalf. **After brief discussion, Bruce Kramer made a motion to adopt Resolution 834. Ted Cromleigh seconded the motion and the motion carried.**

OLD BUSINESS

Bruce Kramer asked if anyone had received any information on a solar pump for the pond on Marshall Kramer's property. Mr. Cromleigh said he found a possible provider on Route 422 in Myerstown, but did not have the name of the business. He will find out the business and discussion can be held later.

Bob Lynn noted that he attended the Board meeting of Historic Schaefferstown to discuss the spring house water problem. A member at the meeting noted that when they were digging holes for the fence posts behind the spring house they found water 2' deep. Mr. Lynn was unaware of this and will explore their information to determine if a gravity flow of water to the spring house can be achieved.

NEW BUSINESS

There was none.

Sewer/HTMA Update

The Uncollected/Delinquent List was reviewed. Ms. Snyder noted progress with specific properties, but also that liens and judgements had been placed on some other properties. Most payment plans are being adhered to and those behind are working to catch up on their past due amounts.

The reports from Select Environmental for September operations were reviewed. A request was made by Select staff for some items for HTMA. A phosphorous meter and a back-up Aqua Mag Pump were requested. The metal detector is not functioning properly and Select staff was requesting it be repaired or a new one purchased. The phosphorous meter costs \$456 from Blue Book and the Aqua Mag pump costs \$760 from Kohl Brothers. The metal detector repair cost would be \$400 and a full replacement would be around \$2,000. The Board elected to repair the metal detector and purchase the other items.

Bruce Kramer made a motion to purchase a Phosphorous Meter, an Aqua Mag pump and repair the metal detector for HTMA. Ted Cromleigh seconded the motion and the motion carried.

Ms. Snyder presented a flyer for a rotodialing service for municipal information or emergencies. The Board reviewed the information and Ms. Snyder to find out more about the cost for the services provided.

Flow Comparisons for sewer and water were reviewed for the month of September.

EIT Update

The September 2016 EIT update was included for review.

Ms. Snyder discussed the recent decision in the EIT legal dispute. The appeal court found in favor of the plaintiffs who will require the Township to pay approximately \$750,000 plus interest calculated by the court. Ms. Snyder noted that the terminated police pension fund will facilitate the payment of most of the burden and any excess can be taken from our savings account to pay the amount due. The plan is to have a check will be written at the November 8th meeting and delivered by Bruce Kramer the next day to avoid any further interest accruing on the principal.

Secretary Report

A letter is requested by the realtor for 3612 Heidelberg Avenue regarding the distance of their well and septic system. It does not meet current standards and the lender requires a letter from the Township stating they will not require improvements for the sale. The letter notifies the owner that should any repairs or replacement of the septic system become necessary, the property would need to get complaint with current regulations. **Ted Cromleigh made a motion to approve the letter for 3612 Heidelberg**

Ave regarding their well and septic locations. Bruce Kramer seconded the motion and the motion carried.

An invoice was received from Conrad Seigel for work done on the Police Pension. Normally the invoice would be paid by Fulton Financial directly from the Police Pension fund, but with the liquidation of said fund, Ms. Snyder stated she will have a check cut with the funds after they have been transferred into our PLGIT Capital Holdings account. The Board stated that was acceptable.

Al Feitzinger tendered his resignation from the Planning Commission effective December 31, 2016.

The Board appreciates his service to the Township. Other members of the Planning Commission have been recruiting another member to fill his spot.

Ms. Snyder presented pricing for a new cleaning person. She interviewed two people and provided their cost estimates to the Board. The Board selected Jane Wertz to provide cleaning services at a cost of \$150/month.

At 9:03, an executive session was called by Chairman Fetter to discuss litigation matters. At 9:20 the Board returned to regular meeting with no decisions made.

At 9:25, 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 November 8, 2016 at 7:00pm in the Municipal Building., 111 Mill Rd. Schaefferstown, PA 17088.

Minutes recorded by Jennifer Snyder

Secretary