

HEIDELBERG TOWNSHIP BOARD OF SUPERVISORS

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**September 24, 2019  
MEETING MINUTES**

Board members present:

Paul Fetter - Chairman

Bruce Kramer

Others present:

Jennifer Snyder- Office Manager

Sean Weik – Public Works Superintendent

Amy Leonard – Solicitor Proxy

Bob Lynn – Township Engineer

5 members of the public

The meeting was called to order at 7:03 by Chairman Fetter, followed by the Pledge of Allegiance to the Flag. Chairman Fetter noted that Ted Cromleigh is not at the meeting because he is on vacation.

A call for public comment was made. Peg Fitzkee relayed a question about the speed limit difference between going east and west on Route 897 between Schaefferstown and Prescott Road. Chairman Fetter explained that PennDOT does their own traffic studies on their roads and that is what determines the speed limits.

A review of the meeting minutes from September 10, 2019 was conducted. **A motion was made by Bruce Kramer to approve the Minutes of the meeting of September 10, 2019 and was seconded by Chairman Fetter. The motion was approved.**

Bills for the Township were submitted and reviewed for payment. **After a brief discussion, Bruce Kramer made a motion to accept the bills as submitted for a total of \$41,707.50 from and General Fund for bills and payroll. Chairman Fetter 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 \$30,097.23. Chairman Fetter seconded the motion and the motion carried.**

Bills for Water Account were submitted for review and payment. **After brief discussion, Bruce Kramer made a motion to accept the bills as submitted for a total of \$9,102.68. Chairman Fetter seconded the motion and the motion carried.**

Engineer's Report

Bob Lynn presented the Engineer's report.

Kevin Varner was in attendance to present the minor stormwater plan for the ECHO Housing unit for Ben Fisher on Valley View Road. Zoning Hearing Board approved the inclusion of a third person under the age of 55 and some location modifications. The stormwater plan was necessary because the overall square footage of the property footprint after the addition of the ECHO house will be great enough to require one. There are some minor stormwater waivers requested and Hanover Engineering was

accepting of the waivers. The water service to the home required a temporary easement to cross the public water easement located in the property's yard. A separate escrow for the water service easement has been established as well as the Improvement Guaranty. **After brief discussion, Bruce Kramer made a motion to approve the waiver requests for the Stormwater Management plan for Benuel Fisher at 108 Valley View Road. Chairman Fetter seconded the motion and the motion carried. Bruce Kramer then made a motion to approve the Stormwater Management Agreement and Improvement Guaranty for the Benuel Fisher minor plan. Chairman Fetter seconded the motion and the motion carried.**

Kevin Varner presented the minor stormwater plan for Blue Lake Builders on South Lancaster Avenue. They are planning to build a new home and have done a wet land study to verify the home will not interfere with any waterways. There are some minor waivers requested for the plan. Mr. Varner mentioned that Daniel Martin will be signing on behalf of his parents as owners. **After review of the waivers requested, Bruce Kramer made a motion to approve the stormwater waivers for the plan. Chairman Fetter seconded the motion and the motion carried. Bruce Kramer then made a motion to approve the Stormwater Management Agreement and Improvement Guaranty for the Eugene and Linda Martin minor stormwater plan. Chairman Fetter seconded the motion and the motion carried.**

The Steven Spohn project offered a time extension on his project until October 23, 2019. They are still waiting for their NPDES permit. **After brief discussion, Bruce Kramer made a motion to grant the time extension for the Steven Spohn project until October 23, 2019. Chairman Fetter seconded the motion carried.**

Landmark Builders offered an extension of time for the Copper Ridge development plan until November 26, 2019. Bob Lynn said they are making progress on the plan but need more information to be able to proceed with reviews. Ms. Snyder stated that someone should contact Landmark regarding the date of the time extension since the Township does not have the second meeting in November. Mr. Lynn will make contact regarding the issue. **After discussion about the date of extension, Bruce Kramer made a motion to grant the time extension to Landmark for the Copper Ridge development until November 26, 2019. Chairman Fetter seconded the motion and the motion carried.**

Jason Ulrich requested a release of his letter of credit and waiver of as-builts for his project at 7 Juliada Drive. Bob Lynn said all inspections were done throughout the project and Hanover does not have a problem with release of the escrow or the waiver of the as-built plans. **After brief discussion, Bruce Kramer made a motion to grant the waiver of as-built plans and release of the held Letter of Credit for \$14,339.38. Chairman Fetter seconded the motion and the motion carried.**

JJC Investments requested a release of the held escrow for the Hammer Creek Storage unit project. Bob Lynn said the money was for paving and plantings and everything has been done to satisfaction. **Bruce Kramer made a motion to release the held escrow for JJC Investments for storage units in the amount of \$5,379.00. Chairman Fetter seconded the motion and the motion carried.**

Andrew Wiegand requested a reduction of escrow for his land development project at the corner at Sheephill Road and Weidman Road. Bob Lynn said there are some punchlist items that need to be completed but recommends a release of \$16,113.50 and continue to hold \$5,524.50. A new escrow account will need to be established at the bank for the retained amount due to current banking regulations. Ms. Snyder will not write a letter to the bank releasing the initial escrow until the new amount is established at Fulton Bank. **After brief discussion, Bruce Kramer made a motion to reduce the amount of escrow held by \$16,113.50 for the Andrew Wiegand plan. Chairman Fetter seconded the motion and the motion carried.**

Leroy Fisher has requested a release of escrow and waiver of as-builts for the Wildlife View School. Bob Lynn stated that inspections have been done throughout the project and Hanover is satisfied with the plan completion. **After brief discussion, Bruce Kramer made a motion to approve the release of escrow in the amount of \$26,611.26 and waiver of as-built plans for the Wildlife View Amish School. Chairman Fetter seconded the motion and the motion carried.**

Bob Lynn discussed a lot add-on proposal with properties on Woodcock Drive. One property is in Heidelberg Township and one is in Clay Township. The owner in Clay Township would like to purchase a small section of land from the lot in Heidelberg Township to straighten out property lines between the two. The request was made to defer the plan to Clay Township since the land would be added to the parcel in that municipality. **After discussion, Chairman Fetter made a motion to defer a lot add on plan for the property on Woodcock Drive in Clay Township to the Clay Township officials. Bruce Kramer seconded the motion and the motion carried.**

Leon Kazanjian and engineer Robert Gerhart have made a request to the Township to apply for a Highway Occupancy Permit on Route 897. They wish to add a lateral to the sewer line which runs in the PennDOT Right of Way, but the sewer line belongs to the Township and therefore we would need to be the applicant for the work. Amy Leonard said she would not recommend signing the HOP application without have an indemnification agreement prepared. Since the Township is not doing the work we would want to be protected from any liability should an issue arise. The Board agreed they will not sign the HOP application without the indemnification agreement being prepared by Amy Leonard. **Chairman Fetter made a motion to approve the PennDOT Highway Occupancy Permit application for the Leon Kazanjian sewer lateral but with the condition of an executed indemnification agreement. Bruce Kramer seconded the motion and the motion carried.**

A letter was received by the Township for a reservation of 12 water capacity units for Daniel Keller. He is in discussions with some companies that may wish to develop the land he owns at the corner of Route 501 and Route 419. The Board is fine with accommodating the request. Bob Lynn will respond to Mr. Keller

The Water Tank rehabilitation bid was not prepared. Bob Lynn talked to some contractors any noted that none of them would be able to do the work in the time frame available. He will prepare the bid to accommodate a spring timeline.

### Solicitor's Report

Solicitor Leonard presented the Solicitor's report.

Solicitor Leonard noted that some connections were made to the sewer by previously paid property owners. We also received some past due payment amounts that we had been waiting on.

The property at 114 High Street plans on connecting to the sewer but discovered that the lateral was placed on the neighboring vacant lot. Stiegel LLC owner both parcels and is fine with using the existing lateral. The township will prepare an easement agreement so the location of the lateral is known to any future owners of the vacant lot. Ms. Snyder said the owner plans on connecting the existing home at 114 High Street to the sewer sometime in October. Solicitor Leonard will work on the agreements. The Mt. Trail Motel matter is proceeding. Ms. Snyder stated that the building code official was scheduled to have a meeting with the motel owner but she did not receive a status report as of yet. Discussion ensued about one of the legal letters mailed to a property owner to connect to the sewer. Solicitor Leonard conversed with the person and feels like the property owner could get a loan and connect. There is a mortgage on the property so she could contact the lender and discuss options with

them as well. The Board said they would like Solicitor Leonard to proceed as needed to get the property into compliance with sewer connections.

### **OLD BUSINESS**

The Township received information regarding a class action lawsuit for problems with engines in the International Truck we purchased in 2012. After review, Solicitor Leonard believes we are eligible for some compensation but the Board should decide which option they would like to pursue. The Board looked at the options and would like to seek a monetary compensation as listed in the lawsuit paperwork. Solicitor Leonard will work with Ms. Snyder to complete the paperwork.

### **NEW BUSINESS**

An application for a new Fire Policeman was received. The applicant is Arthur Wealand and was already approved by the Fire Police. **After brief discussion, Chairman Fetter made a motion to approve the application of Arthur Wealand to join the Schaefferstown Fire Police. Bruce Kramer seconded the motion and the motion carried.**

A letter from Myerstown Borough was received requesting assistance from the Schaefferstown Fire Police at their annual Holiday Parade November 30, 2019. **Chairman Fetter made a motion to allow the Schaefferstown Fire Police to help at the Myerstown Holiday Parade. Bruce Kramer seconded the motion and the motion carried.**

Ms. Snyder asked the Board to review Budget Workshop dates. The Board would like to meeting two times, both prior to regular Board meeting times. October 8 at 6:15 and October 22 at 6:30 will be the times and dates. Ms. Snyder will prepare an advertisement. **Bruce Kramer made a motion to approve an ad for the Budget Workshop dates of October 8<sup>th</sup> and October 22<sup>nd</sup>. Chairman Fetter seconded the motion and the motion carried.**

The Planning Commission meeting minutes from July 2019 were reviewed.

### **Secretary Report**

Ms. Snyder is working on a PennDOT application to allow the Township to review driving records of employees who use Township vehicles. There was discussion about the need for a form for employees to sign giving their consent to the review of their records. Solicitor Leonard reviewed the prepared document and made minor changes. The Board was satisfied with the form.

PennDOT will be holding a Winter Maintenance meeting in Lebanon on October 21, 2019. The information was presented for the board of Sean Weik to attend if they wish.

Ms. Snyder obtained the grant information for Act 13 money held by Lebanon County. The Board discussed applying for a grant for projects like resurfacing the basketball court or for benches along the walking trail. The Board asked Ms. Snyder to forward the information to the Park and Recreation Board. The application deadline is approaching in the next few months. Chairman Fetter said he spoke to Jon Fitzkee from the Lebanon County Planning Department regarding money available for road infrastructure or streetscape improvements in the Township. Grants are available through the MPO.

Ms. Snyder has a bill from Hanover Engineering for work done on releasing the Letter of Credit for the Schaefferstown EMS. Normally we would send a bill to the project applicant for reimbursement, but Ms. Snyder asked the Board to forgive the reimbursement for the EMS organization. The Board said that was fine.

Bruce Kramer discussed the meeting with PennDOT regarding the waterline relocation on Sheephill Road. He asked Solicitor Leonard if the approach PennDOT took to getting the work paid for with the Township was in fact legal. She said she will review the information and let him know.

**At 8:25, Bruce Kramer made a motion to adjourn, which was seconded by Chairman Fetter. All were in favor, and the motion carried.**

The next meeting of the Heidelberg Township Board of Supervisors will be held on October 8, 2019 at 7:00pm in the Municipal Building., 111 Mill Rd. Schaefferstown, PA 17088.

*Minutes recorded by Jennifer Snyder*

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Secretary