

HEIDELBERG TOWNSHIP BOARD OF SUPERVISORS

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August 22 2023
MEETING MINUTES

Board members present:

Paul Fetter Chairman
Ted Cromleigh Vice-Chairman
Bruce Kramer Secretary/Treasurer

Others present:

Jennifer Snyder- Office Manager
Amy Leonard – Solicitor
Bob Lynn – Township Engineer
Sean Weik – Public Works Superintendent
Justin LaTourette – Utility Operator
4 members of the public

The meeting was called to order at 7:01 by Chairman Fetter, followed by the Pledge of Allegiance to the Flag.

A call for public comment was made.
There was none.

A review of the meeting minutes from July 25, 2023 was conducted. **A motion was made by Bruce Kramer to approve the Minutes of the meeting of July 25, 2023. The motion was seconded by Ted Cromleigh and was approved.**

Bills for the Township were submitted and reviewed for payment. **After brief discussion, Bruce Kramer made a motion to accept the bills as submitted for a total of \$75,408.70 from the Light Fund and General Fund for bills 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 \$59,729.74. Chairman Fetter seconded the motion and the motion carried.**

Bills for Water Account were submitted for review and payment. **After a brief discussion, Chairman Fetter made a motion to accept the bills as submitted for a total of \$7,417.12. Bruce Kramer seconded the motion and the motion carried.** One invoice will be investigated before mailing the vendor check.

A Treasurer's Report for July 2023 was reviewed. Included in the review were bank statements from Fulton Bank and PLGIT, cash deposits and a Budget Comparison for July 2023.

Engineer's Report

Bob Lynn presented the Engineer's report.

Due to the review time schedule, the subdivision/lot add-on plan for multiple lots on Canaan Grove Road was presented by engineer Alex Kinzey. **At this time, Ted Cromleigh made a motion to add the subdivision and lot add-on plan for 114, 117 and 120 Canaan Grove Road to the agenda. Bruce Kramer seconded the motion and the motion carried.** Mr. Kinzey described the plan to remove a section of land from 117 Canaan Grove Road that exists on the opposite side of the street from the main portion of land. The land would then be divided between 114 and 120 Canaan Grove Road. The Board noted that a business exists at 114 Canaan Grove Road and a plan note should be added regarding the requirements of expanding said business onto the new section of land. There plan time runs out tomorrow and with a minor item remaining, the plan is not eligible to be approved. A time extension was offered until September 27, 2023. **Ted Cromleigh made a motion to accept the time extension until September 27, 2023 for the Canaan Grove subdivision plan. Bruce Kramer seconded the motion and the motion carried.** Since the land subdivided will not be developed, a non-building waiver is being sought. **After brief discussion, Ted Cromleigh made a motion to approve the Non-Building Waiver for the Canaan Grove road subdivision plan. Bruce Kramer seconded the motion and the motion carried.** Minor waivers of plan scale are being sought as well as sewage perc testing. Both lots receiving land already have improvements on the properties. The Board was willing to approve the waiver so Mr. Kinzey does not have to return to the next meeting for plan approval discussion. **After brief discussion, Ted Cromleigh made a motion to approve the waivers requested for the Canann Grove Road subdivision plan. Bruce Kramer seconded the motion and the motion carried.** Mr. Kinzey thanked the Board for working with him and his clients.

The Gideon Fisher Subdivision Plan was presented by Kevin Varner. Ted Cromleigh abstained from the discussion of this plan. This plan will see two acre, two lot subdivisions from the parent tract on Horst Road. One lot will be developed immediately for a home for the Fisher parents. Some waivers and deferrals are requested for the plan. Deferrals requested are for road widening, curbs and a land development plan for the second lot until a later date. Waivers of plan scale and infiltration facility clearing are being sought. The Improvement Guaranty escrow is established and the agreements are signed. **after discussion, Bruce Kramer made a motion to approve the waivers and deferrals as requested. Chairman Fetter seconded the motion and the motion carried. Bruce Kramer then made a motion to approve the planned subdivision for the Gideon Fisher Horst Road lot. Chairman Fetter seconded the motion and the motion carried. Bruce Kramer then made a motion to approve the Improvement Guaranty in the amount of \$37,776.52. Chairman Fetter seconded the motion and the motion carried. Finally Bruce Kramer made a motion to approve the Stormwater and Improvement Guaranty Agreements for the Gideon Fisher Horst Road lot. Chairman Fetter seconded the motion and the motion carried.**

The Barry Old Mill/Distillery Road subdivision plan is expected to run out of time on August 25th. A time extension has not been received. There are some plan recording matters the engineer is working to settle. The Board understands the circumstances and will accept a time extension received by the 25th. The Planning Module is available for approval. Resolution 935 was presented for that approval **ted Cromleigh made a motion to approve the Barry Old Mil/Distillery Road Planning Module with Resolution 935. Brue Kramer seconded the motion and the motion carried. After discussion, Ted Cromleigh made a motion to reject the plan pending receipt of a time extension by August 25, 2023 for the Barry Old Mill/Distillery Road subdivision plan. Bruce Kramer seconded the motion and the motion carried.**

The 2023 paving contract has been completed by H&K Group. A change order was submitted for extra paving done to a swale area on North Carpenter Street. The contractor must come back to remove an

area of paving they placed accidentally. The Board will not approve payment until that correction is made, but the change order is acceptable.

A price of approximately \$260,000 was received from Weaver Construction for exterior building remodel components. After reviewing, Mr. Lynn and Ms. Snyder noticed issues with the pricing. While the contractor is on Costars for materials, the labor rate is not. Quote notes are also misleading. After discussion the Board felt we should bid the project and instructed Mr. Lynn to put the bid components together.

The escrow release at 2427 S 5th Ave is tabled as no new information was received from the contractor or homeowner.

The Wiegand Escrow release is tabled until information is provided by the contractor.

The Stormwater Ordinance review is tabled until the Planning Commission can review options.

The Public Works Report for July 2023 was reviewed. Sean Weik discussed playground area work and equipment repairs needed to continue the land preparation.

Rapho Township is not interested in purchasing our International Dump Truck. The Board would like to seek other options to sell the vehicle. PSATS magazine and Municibid will be investigated.

Mr. Weik received three quotes for a new shed at the recreation area. While they are not all made the same with alike materials, the Board favors the better materials so the shed lasts longer. **After a brief discussion, Bruce Kramer made a motion to accept the quote from Martin Buildings for \$9,723.00 for a new shed at the recreation area. Ted Cromleigh seconded the motion and the motion carried.**

Tank inspections for the fuel tanks were conducted. The probes are broken and need to be fixed by August 28th. Refurbished probes were located and will cost \$900.

The Gasboy report for July 2023 fuel usage was reviewed.

The Zoning Officer's Report for June 2023 was reviewed. Discussion was held regarding the ongoing use issues at 307 Old Mill Road. **After reviewing all matters at the property, Bruce Kramer made a motion to allow Solicitor Leonard to pursue legal action against the property. Ted Cromleigh seconded the motion and the motion carried.**

The PA State Police Report for July 2023 was reviewed.

Park & Recreation matters were discussed.

Bob Lynn reported that a planning grant was applied for through the Rural and Tribal Assistance Program. The money can be used in acquisition or planning of the PennDOT land as a trailhead for the walking trail. The requested amount is \$75,000.

Park and Rec Board members attended a Schaefferstown Cemetery Board meeting. They hoped to use the cemetery walking path as a part of a connector path to the walking trail. The Cemetery Board sent a letter denying the request.

Solicitor's Report

Solicitor Leonard presented the Solicitor's report.

Discussion regarding the renewal of the Heidelberg Township Municipal Authority resumed from last meeting. Solicitor Leonard reviewed the timeline and how the Board can use the HTMA to function for a Water, Sewer and/or Stormwater authority. The renewal can last up to 50 years and it will be cheaper to renew the HTMA existence than reestablish should the need arise in the future. **After brief discussion, Bruce Kramer made a motion to allow Solicitor Leonard preparation of documents to renew the Heidelberg Township Municipal Authority. Ted Cromleigh seconded the motion and the motion carried.**

The Attorney General Office approved the amount Solicitor Leonard calculated as due for the Police Pension closeout. The Board prepared a statement regarding the matter:

As a result of the December 2021 Audit by the Pennsylvania Auditor General, the Township engaged in an independent review of the Audit, consulting with special counsel and an independent actuary regarding the Auditor General's findings. This resulted in the Auditor General's Office providing documents and information to the Township that were requested by the Township after the 2018 Audit, but were not received until 2022. While there may be inconsistencies between the terms of the uniformed pension plan and certain legal interpretations contained in the Audit, the Board of Supervisors agreed to follow the Auditor General's recommendation that an annuity be purchased for the surviving spouse of a former Police Chief. The Township purchased an annuity at a cost of \$89,112.17, which provides a benefit to the surviving spouse of a former Police Chief in the amount of \$640.00 per month to begin March 1, 2024.

After review of all available information, it appears that the Police Pension Plan began in 1970, but there are no records showing contributions to the Plan between 1970 and 1980. In January 1980, the balance of the Plan was \$79,798, which was assumed to be Township contributions. Between 1980 and 1984, State aid was received from the Commonwealth to fund to the police pension plan. The Commonwealth provided documentation indicating that it had contributed \$77,137, or 49.2% of the contributions made to the Heidelberg Township Police Pension Plan as of 1984. No contributions from the Township or Commonwealth were made after 1984.

At the time of termination of the Police Pension Plan, the Pension fund totaled \$927,476.00. Because the Commonwealth demonstrated the amount of its contribution to the Plan, the Commonwealth asserted that it was entitled to 49.2% of the total Police Pension funds at termination, or \$456,318.00. The Commonwealth is entitled to the return of this amount, less the cost of the annuity purchased for the surviving spouse of a former Police Chief. Thus, the amount to be paid by Heidelberg Township to the Commonwealth is \$367,205.23. The Township was able to retain \$471,158.

After discussion, Ted Cromleigh made a motion authorizing release of payment to the Auditor General's office in the amount of \$367,205.23 for the Police Pension closing. Bruce Kramer seconded the motion and the motion carried.

Solicitor Leonard noted that she will have items for review in Executive Session.

OLD BUSINESS

The Hazard Mitigation Project Opportunity Forms need to be completed so they can be returned to the county for inclusion in the Hazard Mitigation plan.

Ms. Snyder noted that our property maintenance code official will no longer service our municipality. The Board would like her to investigate new options. Once options are secured, Mr. Kramer and Mr. Cromleigh would like to meet with the interested parties.

NEW BUSINESS

There was none.

Utility Update

Justin LaTourette was in attendance to discuss the utility reports.

The Sewer Report was reviewed. Sewer pump gauges are cloudy and unreadable. Mr. LaTourette said Gorman Rupp parts can be ordered to make the repair and he can install them. The Board agreed with that course of action. The K-ville alarm system stopped working. Omnisite is looking in the matter. The K-ville pump station generator will not run the pump station if the electricity trips. Power Systems is coming to look into the matter.

The Water Report was reviewed. The Valley View booster pump was reviewed and small corrections were made to optimize its working. Water at the recreation area was discussed. With the removal of the bathroom building, Mr. LaTourette was unsure if the water line is still needed to the area. The Board mentioned a possible water fountain and a frost-free fire hydrant for the area. Bob Lynn will investigate prices for those items. Mr. LaTourette noted that surface water at Copper Ridge was investigated. The water was determined to be stormwater flow.

The EIT Report for July 2023 was presented.

The SEO Report for July 2023 was reviewed.

Secretary Report

A letter from Comcast regarding service expansion was received.

The Northwest Ambulance monthly reports for July 2023 were presented for review.

A Thank you letter was the Ag Preserve organization was received for our contribution to the land preservation program.

Ms. Snyder asked the Board if they would like to follow through with a suggestion from the Michters dirt road meeting. With the Red Bridge posted at 10 tons, it was mentioned that if the municipalities posted the road for 10-ton weight limit, vehicles greater than that weight would know not to use that road. **After brief discussion, Chairman Fetter made a motion to post signage at the beginning of Michters dirt road that the bridge is posted for 10 tons. Ted Cromleigh seconded the motion and the motion carried.**

At 9:41 Chairman Fetter called an executive session to discuss litigation matters. At 10:11 the Board reconvened into regular session.

At 9:479 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 is scheduled to be held September 26, 2023 at 7:00pm in the Municipal Building., 111 Mill Rd. Schaefferstown, PA 17088.

Minutes recorded by Jennifer Snyder

Secretary