

**MINUTES OF THE REGULAR MEETING OF THE SUPERVISORS OF HEIDELBERG TOWNSHIP HELD
JUNE 26, 2014**

PRESENT: David Randler, Thomas Schoener, Randy Yoh, Brian Thumm, Terry Wolfe, Carol Keppley, Solicitor Mooney, Robert Keppley, Malcom Zwally, Janelle Meyer, Shaun Meyer, Troy & Lynette Gelsinger, Geneva Berger, David Speece, Rebecca Geller, Charles Brown, John Nace and Cheryl Bowers.

The meeting was called to order by Chairman Randler at 7:30 PM with the Pledge of Allegiance.

AUDIENCE PARTICIPATION

MALCOLM ZWALLY

JANELLE MEYER – Mr. Zwally inquired about the Kerry Kline property at 260 Tulpehocken Forge Rd. Janelle Meyer's mother lived next door and recently passed away. He stated the property is an eye sore to the community; the house is inhabitable and asked what is the Township's course of action and time frame. Chairman Randler stated the Township has started to clean up the outside of the property and Mr. Kline is aware of this and was given until Sept. 2 to complete the project. If nothing is done by Sept. the Township will move forward with citing Mr. Kline under the dangerous structure ordinance. Supv. Thumm mentioned blighted property where a receivership is needed. Mr. Zwally would be interested. Mr. Zwally asked if the Township would keep him informed of any action.

LYNETTE GELSINGER

TROY GELSINGER - A plan for the Lynette Gelsinger Poultry Operation Land Development was submitted and conditionally approved by the Heidelberg Township Planning Commission. The plan proposed to construct three broiler barns on a 153 acre farm currently owned by Troy Gelsinger's parents, Larry and Delores Gelsinger located at 102 Heidelberg Road. Two barns will be constructed as soon as possible and the third barn in about one year. They currently have a swine operation; however they will be decommissioning the swine operation on the property. They will have a 40 x 60 compost facility for manure and mortality with a roof and it will be dry. There will be 37,000 birds per barn and will have about six flocks per year. A well is proposed to handle the water consumption.

Dennis Smaglinski of TEI reviewed the plan and submitted a review letter dated May 29, 2014. The Berks County Conservation District has confirmed that the proposed use will total 179.27 animal equivalent units, which is not intensive agriculture and it qualifies as a permitted use under the Joint Zoning.

The Gelsingers are asking the Supervisors for conditional final approval.

The following waivers are being requested: 1) **Section 205** – This section pertains to the requirement of submitting a preliminary plan for approval ahead of submitting a final plan. Request to submit the plans as a combined preliminary/final plan for the following reasons: a) the land development plan is minor in scope and the proposed facility placements are their final size and position b) No subdivision is proposed c) no new utilities or streets are proposed and d) by processing the plans as a combined preliminary/final plan the intent and spirit of the ordinance is still met.

Section 403.B.2 – This section pertains to the requirement of providing bearing and distances with an error of closure 1.10,000th of a foot. Reasons : 1) no subdivision of land is proposed, 2) the buildings are more than 500 feet from any boundary line and 3) a deed plot has been provided on Sheet 103.

SECTION 506 - This section pertains to the requirement of landscaping around the operation. Reasons: a) the building is more than 500 ft. from any boundary line, b) the nearest neighboring dwelling is over 1,000 feet away and c) existing site features will provide screening from the roadway.

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AUDIENCE PARTICIPATION CONTINUED

Supv. Schoener made a motion to approve the three requested waiver as stated above. Motion seconded by Supv. Yoh and passed unanimously.

Supv. Thumm made a motion to approve the Preliminary/Final Lynette Gelsing Poultry Operation Land Development contingent upon: Technicon review letter dated 5/21/14, Berks County Planning Commission review letter upon receipt, receipt of the NPDES permit, receipt of the wetlands report, acknowledgement from Lower Heidelberg Township and escrows in place.

Motion seconded by Supv. Wolfe and passed unanimously.

DAVID SPEECE – Mr. Speece is requesting the help of the Township to stop the water run off from his neighbor's property. Mr. Speece lives at 309 Harry Ave. and for years he has had trouble with the property next door at 305 Harry Ave. discharging their storm water onto his property. Secretary did send the new people a letter and they came in and stated they would correct the problem. Mr. Speece said they did nothing. The water is coming onto his property in the back and the front. The spouting in the back of the property was changed when the new people remodeled. He now gets all the water from the house and garage onto his property. Mr. Speece stated there is a swale in the rear of the properties and that water should be directed to the swale. In the front of the house there is a spouting coming down on their driveway, however, Mr. Speece's property is lower, making for all the water to run onto his property. He has tried to talk to them, but that only made matters worse.

Solicitor Mooney stated that somewhere in our stormwater ordinance it must state that you cannot direct water onto another persons property.

After much discussion, Supv. Wolfe stated that the Township's engineer should get involved.

CHARLES BROWN – Mr. Brown stated the Township did a great job in sweeping the streets this year.

MINUTES: The minutes of the May 29, 2014 were circulated. Supv. Wolfe made a motion to approve the minutes of May 29, 2014, seconded by Supv. Schoener and passed unanimously.

TREASURERS REPORT – Treasurer Carol Keppley circulated the June treasurers report. Chairman Randler made a motion to approve the June treasurers report, seconded by Supv. Schoener and passed unanimously.

PAYMENT OF BILLS - Treasurer Carol Keppley presented the bills for payment. Chairman Randler made a motion to pay the bills as presented, seconded by Supv. Yoh and passed unanimously.

COMMITTEE REPORTS

SEWER – The sewer transportation agreement has not been received. Two quotes were received for reversing the motors. Shatz - \$2,456.00 and Slagmaker - \$2,427.40. After review of the quotes it appears the bidding was not for the same thing. This was tabled until the quotes are equal.

POLICE, FIRE & EMG. MGT. – Police report was circulated.

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COMMITTEE REPORTS CONTINUED

PLANNING COMMISSION – Minutes circulated.

ROADS, BLDG., & EQUIP. – Road report was circulated. A motion was made by Supv. Schoener to proceed with the line painting, seconded by Supv. Yoh and passed unanimously. Chairman Randler stated he would like to see the lines painted on the parking lot at the municipal building. Chairman Randler reported that Randy Leibig called him to complain about the water on the road since they put the new horse rink in.

RECREATION BOARD – No report.

ZONING HEARING BOARD – No report.

BUILDING INSPECTORS REPORT – CIA issued permits for Gresoli – hook up to sewer and 4 Occupancy Permits for Bethany. Office issued two AG permits for David Wolfskill and Mervin Wenger.

ENGINEERS REPORT – TEI report circulated.

PLUMBING & SEO – TEI report circulated.

ZONING OFFICER – TEI report circulated. Jerome Kissling was given till this meeting to have his property cleaned up and it hasn't been completed. All agreed to have Solicitor Haws proceed with the Dangerous Structure Hearing. Someone is interested in purchasing the empty lot owned by Mr. Kissling and wanted to know what was permitted. It was suggested the person should put in writing what they want to do and it will be addressed.

COG – Chairman Randler reported the COG met and they authorized spending \$5,000 on portable electronic speed signs.

BERKS COUNTY COOPERATIVE COUNCIL – No report.

ENVIRONMENTAL ADVISORY COUNCIL – No report.

UNFINISHED BUSINESS

JOINT ZONING – No report.

UNIFORM CONSTRUCTION CODE – No report.

ACRE LAW SUIT – No report.

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UNFINISHED BUSINESS CONTINUED

SOLID WASTE/RECYCLING – The community maps will be mailed out and Secretary will submit the expenses to DEP for reimbursement from the grant. We will need to purchase recycling containers soon, as the grant runs out in April 2015.

BRUBAKERS HEATING – Jerry Farro stopped in and they are almost finished with the project.

LOWER HEIDELBERG TOWNSHIP BRIDGES – No report.

COMMUNITY MAP – Will be mailed out soon (see Solid Waste/Recycling)

COMCAST RENEWAL PROCESS – No report.

RENTAL PROPERTY INSPECTIONS – No report.

SALE OF SERVER – Supv. Schoener made a motion to sell the server per the estimate from Bit by Bit, seconded by Supv. Yoh. Motion passed unanimously. Chairman Randler abstained.

CORRESPONDENCE

See attached

NEW BUSINESS

SHREDDING EVENT – Received letter from Ron Seaman of South Heidelberg and the shredding event is scheduled for Saturday, Oct. 18. All agreed to participate again this year.

NOTICES OF VIOLATION LETTERS - Sent to Harold Mogel (he mowed), Wm. Hinks and Ronald Pearson. Discussion on having Chief Boyer, while on his rounds, report back as to who should receive a violation letter. Also, on having the letter come from Chief Boyer as it might carry more weight than from the Secretary. Secretary will put the letter together on the computer with police stationary and then have Chief Boyer sign the letter.

FLAG POLE – Received a quote from Quality Awnings and Signs for \$1,823 which included an aluminum flagpole and accessories. Solar lights and bronze plaque was not included. Secretary to contact them.

There being no further business the meeting was adjourned on a motion by Supv. Thumm, seconded by Chairman Randler and passed unanimously. Time-9:30 PM

Respectfully submitted,



Cheryl L. Bowers, Secretary

NEXT MEETING – JULY 31, 2014