

Richmond Township Board of Supervisors
Monthly Meeting
Monday, February 14, 2022
7:00 P.M. prevailing time

Chairman Brian Wanner called the Richmond Township Board of Supervisors' monthly meeting to order at 7:00 P.M. in the Richmond Township Municipal Building. The pledge of allegiance followed.

I. ROLL CALL

In attendance at this meeting were Supervisors Brian Wanner, Sam Kemmerer and Scott Brinker; Jennifer Galomb, Township Secretary-Treasurer; Christopher Hartman, Esq., Solicitor; Scott Anderson; Township Engineer and Jeff Fiant; Kraft Code Services. Also in attendance were members of the Virginville and Walnuttown Fire Companies and Robert Rarick III; Township Roadmaster and Cody Luckenbill; Assistant Roadmaster

II. PUBLIC PARTICIPATION – AGENDA COMMENTS SESSION

Brendon and Katelyn Moll were in attendance to discuss problems with the access road to the Willow Creek Development, as chains that had been blocking the road had recently been removed and delineators were installed to allow for bicycles to safely travel to the pool and back. The Moll's discussed that since the chains have been removed there have been vehicles, specifically Amazon drivers that are going over the delineators and driving into people's yards to make deliveries, along with ATV's and 4 wheelers. Jeff Buck from Walnuttown Fire Company also noted that they were out at a structure fire and people are confronting them asking for the chains to be put back up. The Board discussed how a few months ago the Township was asked to remove the chains that had been there originally so that people could ride their bikes down the path but unfortunately other people have taken advantage of the system and is making it necessary to have the chains put back up. The Board apologized for the inconvenience and instructed the roadmaster to reinstall the chains.

Brendon had also asked the board about the possibility of putting in a crosswalk at the Elementary School. Grande Construction had put in a sidewalk with a ramp but there is no crosswalk or pedestrian crossing sign for the kids to get across safely to go to school. The Board asked the engineer to look into the land development plan and see what it shows and discuss with them and report back on findings.

III. **APPROVAL OF MINUTES**

A motion was made by Sam Kemmerer to approve the minutes of the January 10, 2022, Scott Brinker seconded the motion. Motion carried unanimously.

****THERE WAS AN EXECUTIVE SESSION PRIOR TO THE MEETING TO DISCUSS PERSONEL ISSUES****

IV. **NEW BUSINESS**

1.. **Code Enforcement Report- Kraft Code Services**

The Board acknowledged receipt of the Code Enforcement Report dated January 28, 2022 for activity period of 12/26/2021- 1/22/2022. Jeff Fiant was present and he reviewed the report. He discussed that they had gone to court regarding violations at 330 Mine Rd but the proceedings were halted and are being move to Oley, as there were conflicts of interest at the DJ.

2. **SEO Report- LTL Consultants Ltd.**

The Board acknowledged the receipt of the SEO report dated February 2, 2022 for activity from January 2022

3. **Review and Motion to Approve the Amendment to Intermunicipal Water Service Agreement.**

Chris Hartman explained that it was discussed at previous meetings that the board was okay with moving forward with the agreement, but it was not signed yet by the Borough Authority. Since then, the agreement has been signed and needs the boards approval and signatures. A motion was made by Brian Wanner to approve the agreement, Sam Kemmerer seconded the motion. Motion carrier unanimously. The Board explained that the Intermunicipal Agreement for water with Fleetwood, they have provided water to the Richmond Township. The agreement was updated to include all the right properties.

4. **Motion to Approve Resolution #2022-09 Appointing Robert Heffner as an Alternate to the Zoning Hearing Board.**

A motion was made by Brian Wanner to accept the resolution, Sam Kemmerer seconded the motion. Motion carried unanimously.

5. Review letter received from the Berks County Agricultural Land Preservation Board- Daniel and Kristine Schuler Farm.

The Board acknowledged the letter and had no questions regarding it.

6. Review Audit Report from PA UCC Dated January 18,2022.

The Board acknowledged the letter and had no questions regarding it.

7. Review email sent to the Township from -BSEF asking for support in form of donation.

A motion was made by Brian Wanner to decline a donation from the Township, Sam Kemmerer seconded the motion. Motion carried unanimously.

8. Review quote from SMRTGUYS for live streaming meetings.

A motion was made by Brian Wanner to accept the quote and Sam Kemmerer seconded the motion. Motion carries unanimously.

9. Review and discuss zoning amendment request submitted for the Lyons Solar Farm.

Andrew Miller from MPL Law Firm discussed their request for a zoning amendment regarding the height of the transmission line exiting the project where it goes over top of the existing Met Ed lines on Fleetwood Lyons Road. There was discussion at the Planning Commission meeting on January 31st, so they asked to be on the agenda for tonight. Attorney Miller discussed that they are looking for the board to approve a text amendment to the ordinance to accommodate the line that is proposed. Mr. Redding from Heelstone discussed that the additional height would only be needed in areas that need to cross over the Met-Ed lines. There needs to be 11 ½' clearance from the Met-Ed lines in order to not cause a disturbance. Mr. Miller stated that the language that they proposed sets a cap at 75' on any potential tower which Heelstone believes that can accommodate and stay under without any design issues. Chris Hartman stated that he would prefer to have as little go above 50' as possible and he suggested to have language added stating the additional height needed to interconnect and not a blanket 75'. He also stated that a few months ago he had spoken to Gary Kraft and he was concerned that if it went to the Zoning Hearing Board, the underground option might be required as it would not need the variance, but he also understands that there are some technical reasons that it may be preferable not to go underground. Chris Hartman recommended to the board that he will send an email out with the final added language for the board to review. He would also like to get a draft ordinance together for the Township Planning Commission for it's meeting at the end of February and send a copy to Berks County Planning Commission, but I don't think we can have a public hearing in consider enactment until April as the Berks Planning Commission is taking 30 days on recent reviews and the March meeting is in 28 days. A motion was made by Sam Kemmerer to have Chris Hartman draft additional language and send to the board for final review, Scott Brinker seconded the motion. Motion carried unanimously.

10. Review and discuss the DRAFT Memorandum of Understanding from the Berks County Conservation District.

Chris Hartman advised the board to have himself and Scott Anderson review the Memorandum and provide any comments to the board if necessary. A motion was made by Brian Wanner to have Chris Hartman review the new policy, Scott Brinker seconded the motion. Motion carried unanimously.

11. Review Cost Recovery Agreement, Ordinance & Resolution from Virginville Fire Company.

A motion was made by Brian Wanner to have Chris Hartman review the cost recovery paperwork and report back to the board on which policy would be better for the Township. Sam Kemmerer seconded the motion. Motion carries unanimously.

V. OLD BUSINESS

1. Review Hold Harmless Letter from The Optimist Club of Kutztown for the Fool's Run.

Chris Hartman explained that they had submitted the letter once before and we had asked them to add additional language, which they have done. A motion was made by Brian Wanner to accept the letter, Sam Kemmerer seconded the motion. Motion carried unanimously.

2. Discuss any progress of the Lenhartsville Road Tolling Litigation.

Chris Harman stated that the filing has begun and several municipalities that have signed on and we have to wait and see what happens.

VI. POLICE REPORT

Officer Ulshafer was present and reviewed the Police Report for January 2022.

VII. FIRE COMPANIES' REPORTS

The Board acknowledged receipt of the January 2022, monthly reports from both the Virginville Fire Company and Walnuttown Fire Company.

VIII. ENGINEER'S REPORT

1. 2022 Roadwork Project: Request to prepare, advertise and receive bids.

Scott Anderson wanted to confirm that the board was going to match the Liquid Fuels Funds in order to get all of the projects completed, which was already included in the 2022 budget amounts. Also in the roadwork projects was the repairs to Jeanette Drive that the escrow

money that is still in the account would cover. A motion was made by Brian Wanner to have Scott start the process, Scott Brinker seconded the motion. Motion carried unanimously.

2. Fleetwood Bible Church waiver of Land Development Request.

Nick Stoltzfus from Descoco Design and Construction along with members of the Fleetwood Bible Church were in attendance to discuss the new plans. The original plans that were submitted made provisions for a 3,750 square foot pavilion and a 5,400 square foot building expansion, both of which were never constructed. In addition to those structures the original plan accounted for an additional 1,500 square feet of building coverage. It also called for a 96-space parking lot expansion, which was constructed. The current plan proposes an 8,280 square foot building addition, which while being larger than the originally proposed addition, is smaller than the total 9,150 square feet of impervious that was approved but not constructed. Nick stated that they would also like to tie into the water and sewer with Fleetwood. He said they currently have 1 EDU and they have been tracking it the past few months and it is actually way less than that, however with the new construction it could take it to 2-3 EDU's and there is room for this at Fleetwood. A motion was made by Brian Wanner to have Scott Right's at Steckbeck Engineering meet with Nick Stoltzfus regarding the EDU usage and needs so that they can start their project. Sam Kemmerer seconded the motion. Motion carried unanimously.

A motion was also made Brian Wanner to have Fleetwood Bible Church contact Fleetwood Borough to be able to connect with their water source. Sam Kemmerer seconded the motion. Motion carried unanimously.

Motion was made by Brian Wanner to grant a conditional waiver subject to the February 14, 2022 letter from Scott Anderson along with verifying the adequacy of the off-street parking. Sam Kemmerer seconded the motion. Motion carried unanimously.

3. East Penn Manufacturing: Existing and Proposed Projects.

Scott Anderson met with East Penn today and they are looking to expand their smelter building to an additional 4,100 feet to make room for 2 smelter kettles.

IX. SOLICITOR'S REPORT

1. Review of Delinquent Sewer Account Collections - PAMS

The Board reviewed the Unpaid Bills Report received from PA Municipal Services for month of January and the list prepared by Attorney Mayfield. Chris explained that we received a default judgment at the Lutz/Schaffer. Chris asked the board how they wanted him to proceed. A motion was made by Brian Wanner to have Chris Hartman send a letter stating that the next step would be a sheriff sale unless a payment plan is done. Sam Kemmerer seconded the motion. Motion carried unanimously.

2. Motion to Approve Resolution #2022-10 Supplemental Appropriations for the 2022 Budget using ARPA Funds.

A motion was made by Sam Kemmerer to adopt the resolution, Scott Brinker seconded the motion. Motion carried unanimously.

AMENDED AGENDA

Chris Hartman asked the board to make a motion to amend the agenda to discuss the release of Escrow funds of Jay's Auto. A motion was made by Brian Wanner to amend the agenda to discuss Jay's Auto. Sam Kemmerer seconded the motion. Motion carried unanimously.

3. Discuss Releasing the Escrow funds of Jay's Auto

Chris Hartman sent a letter to Ahmad Jawad of Jay's Auto for his request to release of escrow money. He explained that he would need to send a letter to the Township withdrawing your land development and the Township would release the escrow funds. If a letter is not received by the February 14, 2022 meeting that he would recommend to the board to reject his land development plans. A letter will be sent to Jawad stating this and if he does not appeal within 30 days of rejection notice that Chris will recommend to the board to release the unused portion of the escrow funds at the April 11, 2022 Board of Supervisors meeting.

Chris noted that if we release the funds and Jawad wants to start up again there needs to be brand new plans submitted. A motion was made by Sam Kemmerer to reject the land development plans; Scott Brinker seconded the motion. Motion carried unanimously.

X. STECKBECK ENGINEERING – SCOTT RIGHTS, P.E.

None

XI. MISCELLANEOUS BUSINESS

None.

XII. ROADMASTER'S REPORT

Roadwork Report

The board reviewed the roadwork report submitted by the Roadmaster.

Discuss quotes on new trucks.

We have received 3 quotes for trucks, Freightliner being the cheapest at \$88,000.00 which is a 36,000-39,000lb truck with is a CDL truck, which would replace the Chevy 7500. Next was a

Peterbilt 548 at \$111,959.38 and Mack for \$133,370.00. The only addition to the Freightliner is that the salt spreader which is a Swenson would run an extra \$5,000.00. That is the spreader that we use with the rest of our trucks and have parts for if needed. The specifications on the truck are the same as the other trucks that we have now. The upfit would be done through E.M. Kutz would be doing the upfit as they had done the upfit on our other trucks. Robby would like to also like to replace the 550 truck that is falling apart with a Dodge truck. If ordered now we could have 1 truck to use in 2023 and the other to use in 2024. The Dodge would run approx. \$100,000.00. Over the next 3 years we could pay for the 2 trucks and upfitting and not be over budget. A motion was made by Brian Wanner to order a truck from Freightliner and upfit through E.M. Kutz, Sam Kemmerer seconded the motion. Motion carried unanimously.

Discuss Bathroom and Roof for Fuel Tank

We received quotes from Martin for the construction, which he has come down on quite a bit from the original estimate, and a quote from the plumber on for the women's bathroom. Robby made a recommendation that the board allow the roadcrew to do the demolition to the bathroom to save some time and money, the board was okay with that. Brian Wanner had asked Robby to get 2 separate quotes one strictly for the fuel tank and 1 for the bathroom remodel, as he wants to keep the jobs separate. Robby stated he is going to get a quote on doing the roof and not the sides for the fuel tank as the sides he does not believe is necessary. A motion was made by Brian Wanner to approve the work, not to exceed the quote that has been presented, Sam Kemmerer seconded the motion, motion carried unanimously.

Robby mentioned that there is a 5' X 10' area in the shop that the roof is leaking. He is going to request quotes on as well as a few other areas that are leaking. He suggested that we think about replacing the roof in the next year or so.

XIII. SECRETARY - TREASURER'S REPORT

1. Payment of the Bills

General Fund

A motion was made by Sam Kemmerer to pay Check #10229 to Check #10289 including the electronic fund transfers in the amount of \$170,968.59 Scott Brinker seconded the motion. Motion carried unanimously.

State Fund

A motion was made by Sam Kemmerer to pay Check# 2111 & Check# 2112 in the amount of \$11,057.50 Scott Brinker seconded the motion. Motion carried unanimously.

Light Fund

A motion was made by Sam Kemmerer to pay Check# 2143 & Check# 2144 in the amount of \$1,349.01 Scott Brinker seconded the motion. Motion carried unanimously.

Richmond Township Sewer Fund

A motion was made by Sam Kemmerer to pay Check #2907 - #2925 including the electronic fund transfer in the total amount of \$38,633.16 Scott Brinker seconded the motion. Motion carried unanimously.

Walnuttown Fire Escrow

A motion was made by Sam Kemmerer to pay Checks #2144 in the amount of \$769.00 Scott Brinker seconded the motion. Motion carried unanimously.

Virginville Fire Escrow

A motion was made by Sam Kemmerer to pay Checks #2145 in the amount of \$769.00 Scott Brinker seconded the motion. Motion carried unanimously.

Virginville Sewer PennVest Account

A motion was made by Sam Kemmerer to approve the electronic fund transfer loan payment in the total amount of \$ 2,901.57. Scott Brinker seconded the motion. Motion carried unanimously.

Herbein to conduct 2021 Audit

Jen mentioned that Herbein was going to be at the Township conducting the 2021 audit the week of the 28th.

Adopt Corporate Resolution for The Richmond Township Non-Uniform Pension Plan.

Jen asked the board to adopt the Resolution for The Richmond Township Non-Uniform Pension Plan, which will include her on the list of authorized signers on behalf of the township if necessary. A motion was made by Brian Wanner to accept the resolution, Sam Kemmerer seconded the motion. Motion carried unanimously.

Discuss Sponsorship to the Berks County Solid Waste Authority.

A motion was made by Brian Wanner to join the sponsorship at the Berks County Solid Waste Authority at the \$250.00 level, Sam Kemmerer seconded the motion. Motion carried unanimously.

XIV. CHAIRMAN'S REPORT

Brian Wanner had asked Chris Hartman to look into what needs to be done to search for a new pension advisor. Chris Hartman is going to look into it and report back to the board next meeting.

XV. PUBLIC PARTICIPATION - BUSINESS FROM THE FLOOR

None

XVI. ADJOURNMENT

There being no further business, a motion was made by Brian Wanner to adjourn the meeting at 9:07 P.M. The motion was seconded by Sam Kemmerer. Motion carried unanimously.

Jennifer Galomb
Secretary-Treasurer, Richmond Township

Brian S. Wanner
Chairman, Richmond Township