

Richmond Township Board of Supervisors
Monthly Meeting
Monday, June 13, 2022
7:00 P.M. prevailing time

Vice- Chairman Sam Kemmerer called the Richmond Township Board of Supervisors' monthly meeting to order at 7:30 P.M. in the Richmond Township Municipal Building. The pledge of allegiance followed.

I. ROLL CALL

In attendance at this meeting were Supervisors Sam Kemmerer and Scott Brinker; Jennifer Galomb, Township Secretary-Treasurer; Christopher Hartman, Esq., Solicitor; Scott Anderson, Township Engineer; members of the Walnuttown Fire Company; Robby Rarick, Township Roadmaster; and members of and Kimley-Horn and Attorney Miller on behalf of the Lyons Solar Project.

II. PUBLIC PARTICIPATION – AGENDA COMMENTS SESSION

John Lubas of 287 Mine Rd. was in attendance and he explained how there is a 50' Right-of-Way between his property and his neighbors. His neighbor had a farm that has since been sold and a development has been put in. Mr. Lubas has been cutting the grass of the Right-of-Way since 1986 and he would like to know if there is any way that the 50' Right-of-Way could be put into his property and under his name. Attorney Hartman explained that he would have to investigate if the Township has any authority over or if this is a private real estate matter between the neighbors. Attorney Hartman asked the Board if they wish to have him investigate the matter for Mr. Lubas. The Board approved Attorney Hartman to look into the Right-of-Way situation.

Mille Laporte of 15 Huyett Ave was in attendance and is asking for repairs to be done to her road. She explained that there are huge potholes in the road that need to be fixed. Sam Kemmerer asked if this road was a Township road or a private road. Robby Rarick had stated that he was not sure if it was or not, but he has been with the Township for 8 years and has never done any type of maintenance, snow plowing or other to the road. There are elderly residents that live on this road and the transit buses that come through there to pick them up have a very hard time getting through because of the holes in the road. Mille stated that every time it snows, she and her husband plow the road, they have also filled in the holes at times. After a brief discussion, Attorney Hartman said he would look into finding out if Huyett Ave is a private road or public and if there are any easements listed on the Walnuttown sewer system.

Brian Shollenberger of 255 Keller Rd. was in attendance and was asking for assistance to hook into the public sewer rather than having his holding tank pumped out constantly. He explained that his property is in Ruscombmanor Township but on the border of Richmond Township and the public sewer line is right next to his property. Brian was asking if one of the Townships would be able to help with the costs of the hook up to the sewer lines as the estimate is approximately \$22,000.00. Brian made mention that his neighbor may be willing to have the sewer line run through his property rather than having the road torn up for the hook up process, in hopes that it might bring the cost down a bit.

Mr. Shollenberger was curious as to where we were with having the information that we needed to discuss what will be done and when. Attorney Hartman explained that we need to have written consent from Ruscombmanor for this project and to see if they have any objection to the way the sewer line is run, we would also need to check if there is a need for a permit from DEP for a sewer hookup in Ruscombmanor since they don't already have a sewer system. Sam Kemmerer stated that once we receive correspondence from Ruscombmanor we can discuss further.

III. APPROVAL OF MINUTES

A motion was made by Sam Kemmerer to approve the minutes from the May 9, 2022 Board of Supervisors monthly meeting, Scott Brinker seconded the motion. Motion carried unanimously.

IV. NEW BUSINESS

1.. Code Enforcement Report- Kraft Code Services

The Board acknowledged receipt of the Code Enforcement Report dated May 27, 2022 for activity period of 04/24/2022- 05/21/2022. A motion was made by Scott Brinker to accept the report, Sam Kemmerer seconded the motion. Motion carried unanimously.

2. SEO Report- LTL Consultants Ltd.

The Board acknowledged the receipt of the SEO report dated June 1, 2022 for activity from May 2022. A motion was made by Sam Kemmerer to accept the SEO report, Scott Brinker seconded the motion. Motion carried unanimously.

3. Police Report from Chief Dale Ulshafer.

The Board reviewed the Police Report. A motion was made by Sam Kemmerer to approve the police report, Scott Brinker seconded the motion. Motion carried unanimously.

4. Virginville Fire Company Report.

The Board acknowledged the monthly report from the fire company and had no questions. A motion was made by Sam Kemmerer to approve the fire company report, Scott Brinker seconded the report. Motion carried unanimously.

5. Walnuttown Fire Company.

The Board acknowledged the monthly report from the fire company and had no questions. A motion was made by Sam Kemmerer to accept the report, Scott Brinker seconded the motion. Motion carried unanimously.

6. Review Herbein's Report of the Township's 2021 Audit

The Board reviewed the report and asked Jen if there was anything that needed attention. Jen stated that Roxanne had discussed the option of paying the loan back from the sewer fund to the general fund since there are enough funds available, rather than the current payment every year of \$24,744.00 from the sewer fund to the general fund. Attorney Hartman explained that if you leave the payment as it is and you end up having expenses at the sewer plant than the money is there. A motion was made by Sam Kemmerer to keep the yearly sewer payment to general fund the way that it is, Scott Brinker seconded the motion. Motion carried unanimously.

7. Motion to Approve Sponsorship/Donation to Albright College CELG

Jen discussed with the Board that we made a donation last year of \$100.00. Attorney Hartman explained that the CELG has a lot of programs for local governments and have zoom meetings that provide education for local governments, they also have cooperative purchasing available if the Township would ever want that as well. A motion was made by Sam Kemmerer to keep the contribution the same as last year, Scott Brinker seconded the motion. Motion carried unanimously.

8. Motion to Approve Service Electric Cable TV Franchise Agreement.

Attorney Hartman discussed that the agreement is on a 10-year cycle, and the franchise agreement is up for renewal. The Township get 5% of the charges for cable television services, which is only a portion of what Service Electric bills to residents. The 5% is the maximum that the federal law allows. Jen stated that the Township right now receives

approximately \$20,000.00 per year from Service Electric. Attorney Hartman explained that the agreement gives Service Electric a non-exclusive right to use the Right-of-Ways at the Township for their facilities. A motion was made by Sam Kemmerer to approve the agreement, Scott Brinker seconded the motion. Motion carried unanimously.

9. Motion to Approve Partial Refund of Real Estate Taxes for 2124 Moselem Springs Rd.

Jen explained to the Board that the assessed value of the home was \$169,900.00 and the new taxable assessed value is \$123,100.00. The taxes were paid with the 2% discount, so the difference is \$160.52. A motion was made by Sam Kemmerer to approve the partial refund, Scott Brinker seconded the motion. Motion carried unanimously.

10. Motion to Approve IRS Mileage Rate Increase

Jen discussed that the IRS has listed new mileage rates to reflect the rising cost of gasoline, that are effective July 1, 2022. The current rate of \$0.58 cents will be increased to \$0.62 cents to mile on July 1, 2022. A motion was made by Sam Kemmerer to approve the IRS mileage rate increase, Scott Brinker seconded the motion. Motion carried unanimously.

AMENDED AGENDA

11. Motion to Advertise for a Pension Investment Advisor

Attorney Hartman stated that this is the solicitation for proposals, which the Board had requested he look into a few months ago. By state law, in order to make sure we have an open and fair process, there is a certain schedule that needs to be followed and the process will take three months. A motion was made by Sam Kemmerer to advertise for a request for proposals of a pension investment advisor, Scott Brinker seconded the motion. Motion carried unanimously.

V. OLD BUSINESS

1. Discuss Sewer Findings at 255 Keller Rd. Ruscombmanor Township

This was already discussed in Public Participation section.

2. Jay's Auto – Land Development Escrow.

Jen explained that Mr. Ahmad came to the meeting but had to leave as his daughter had a fever. He said that he has a buyer for the property that wants to take over his plan that the Township recently rejected. Attorney Hartman said that he wants to hear from the prospected buyer and get confirmation that there really is someone interested in the property. Attorney Hartman said that he not recommending any change in the rejecting as decided by the Board until the Township hears more information from the potential buyer. The Board directed Jen to reach out to the buyer for information.

VI. ENGINEER'S REPORT

1. Lyons Solar Farm- Land Development Final

Scott Anderson discussed how the Planning Commission had just made a motion to recommend for conditional approval based on Kraft Engineering review letter dated June 8, 2022 and the list of conditions provided by Attorney Hartman's office. Attorney Hartman mentioned correspondence that he had received from the Board regarding the noxious weeds and invasives, according to the NPDES permit it requires compliance with Pennsylvania law on invasive and noxious weeds and he does not believe that there is any further action that would be needed. Sam Kemmerer asked who would actually enforces the compliance if it turns into a mess, Scott Anderson had stated that the Berks County Conservation District would get involved. Members of Kimley-Horn were in attendance and stated that they are planning on regular maintenance to cut the grass and take care of the weeds and such.

Scott Brinker questioned the decommissioning of the solar farm, what the life span is of the solar panels. It was explained that the panels can last approximately 40 years. They have a power warranty of 30 years but they last well past that. Usually once the panels no longer work, they are just replaced but all the bracketing will stay the same. Kimley-Horn currently has site control options up to 40 years. Scott Anderson added that the decommissioning will occur if there is no continuation of the lease or if they have been inactive for a 12-month period.

A motion was made by Sam Kemmerer for preliminary approval, conditional to the comments from Attorney Hartman's office and the Kraft Engineering letter, Scott Brinker seconded the motion. Motion carried unanimously.

2. Grande Land LP- Willow Crest Escrow Release Request.

Scott discussed that Grande had gone through and done the final paving on the development and any repairs that were needed. Grande has sent a request for escrow release in the amount of \$197,099.29 which would be release #12. Scott mentioned that they still have to do pavement markings and making sure that the lighting up and working. They have quite a few items yet that need to be done before the project is finished and a full escrow could be released. With this release the remaining escrow is \$242,119.92. The remaining is primarily for the final paving of the streets, but also for street trees and minor topsoil/seeding.

Attorney Hartman asked if the stormwater sink hole issue had been resolved or if that was still a pending issue. Scott stated that it is still pending as they want to finish the paving and then work on the pond and the sink hole issue all at once. The release that they are asking for right now is strictly just for the paving.

A motion was made by Sam Kemmerer to approve the requested escrow release of \$197,099.29, Scott Brinker seconded the motion. Motion carried unanimously.

Scott Anderson mentioned that the other topics of sidewalks and road maintenance for Willow Crest, it looks like those items are going to be the school's responsibility to maintain.

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 May and the list prepared by Attorney Mayfield. Chris explained that they started a Sheriff Sale on the Lutz/Schaeffer property. There is a payment plan on the Richards property that is behind schedule on payments. He recommends that another letter should be sent to refresh their memory that there is a payment agreement in place and see what happens. Attorney Hartman stated that there are a few properties that he is seeing that are falling behind on payments, whether it be a timing issue with the reports or not but he wants to keep an eye on them to see if they are corrected.

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

1. Discuss Pleasant Hill Road Pump Station

Attorney Hartman discussed that Scott Rights had emailed the Township with regards to the quote that the Board had approved last month, the system would have required an electrician at the pump station to turn it on and that is not an acceptable option. In the current quote it will cost per 4 weeks of rental is \$1585.20 per week plus the initial set up charge which is estimated at around 6 hours @\$90.00 per hour including travel time or \$540.00. The cost for the generator previously approved by the Board was \$2,420.00 for the 1st month and \$1,720.00 each additional month thereafter plus as electricians cost for initial set up.

A motion was made by Sam Kemmerer to approve the new quote submitted by Scott Rights, Scott Brinker seconded the motion.

XI. MISCELLANEOUS BUSINESS

None.

XII. ROADMASTER'S REPORT

1. Roadwork Report

The board reviewed the roadwork report submitted by the Roadmaster.

2. Discuss Listing Price for the Dodge 5500 Flatbed for Municibid

Robby discussed that 2 items that were listed on Municibid, the Ford 550 did not meet the reserve. The high bid was \$13,800.00 and the reserve was \$18,000.00. The broom high bid was I believe \$1,025.00. The last time we ran the truck the high bid was \$15,000.00 but that was shy of our reserve. Sam Kemmerer asked Robby to reach out to the current high bidder on the truck and see if he can negotiate.

Sam Kemmerer asked Robby to list the flatbed of the Dodge 5500 for \$2500.00 on Municibid

3. Review of Township Building Roof Work

Robby had Mast Roofing out to take a look at our roof and give a quote for a new steel roof. According to them they do not go over 29' without a seam. He has talked to other companies who will go up to 40' for a steel roof. Sam Kemmerer asked Robby to look around at other companies and see what he can find out.

4. Discuss Pheasant Run Road Project.

Robby had asked if there were any updates on the Pheasant Run Road project. Scott Anderson stated that he is waiting on information from the utilities company. Sam Kemmerer said that if he doesn't hear back from them soon to give PA One Call a call and see if they can point out the utilities so that we can get started on this project.

XIII. SECRETARY - TREASURER'S REPORT

1. Payment of the Bills

General Fund

A motion was made by Sam Kemmerer to pay Check #10442 to Check #10492 including the electronic fund transfers in the amount of \$228,260.13 Scott Brinker seconded the motion. Motion carried unanimously.

State Fund

A motion was made by Sam Kemmerer to pay Check #2114 in the amount of \$15,138.70 Scott Brinker seconded the motion. Motion carried unanimously.

Light Fund

A motion was made by Sam Kemmerer to pay Check# 2148 in the amount of \$650.15, Scott Brinker seconded the motion. Motion carried unanimously.

Richmond Township Sewer Fund

A motion was made by Sam Kemmerer to pay Check #2957 – Check #2968 including the electronic fund transfer in the total amount of \$30,653.17 Scott Brinker seconded the motion. Motion carried unanimously.

Walnuttown Fire Escrow

No checks were issued out of the account this month.

Virginville Fire Escrow

No checks were issued out of the account this month.

XIV. CHAIRMAN'S REPORT

None

XV. PUBLIC PARTICIPATION - BUSINESS FROM THE FLOOR

Jeff Noll was in attendance and had asked the Board who is responsible for mowing weeds on Dryville Road. Sam Kemmerer said that Dryville Road is a state road and most likely there is no one that is mowing it. Mr. Noll also asked if someone could call Penn DOT to see if they can do something about the runoff. Because of the runoff there is no shoulder on the road anymore and there are many deep ruts on the road that need to be taken care of. Sam asked Robby to reach out to his connection at Penn DOT and see if they can do anything.

XVI. ADJOURNMENT

There being no further business, a motion was made by Sam Kemmerer to adjourn the meeting at 9:00 P.M. The motion was seconded by Sam Kemmerer. Motion carried unanimously.

Jennifer Galomb
Secretary-Treasurer, Richmond Township

Brian S. Wanner
Chairman, Richmond Township