

December 3, 2020

Township of Ontelaunee
35 Ontelaunee Dr.
Reading, PA 19605

The regular meeting of the Ontelaunee Township Board of Supervisors was called to order at 7:00 pm by the Chairman Kenneth Stoudt, in the Ontelaunee Township building, with Board Supervisors William Klein and Gary Hadden present.

Additional Meeting Attendees: William McMullen, Engineer
Elizabeth Magovern, Solicitor
Kim Y. Berger, Secretary

Visitors- Fred Harrison, Lisa Unrath, Michael Holcombe, Josh Santos, Debbi Didyoung, Brian Horner, David Reichline, Diane Hollenbach, Heidi Fiedler, Dave Franke, Robert Wood Jr., William Dillman, Gregg Falk, Dave Drazenovich, Mark Deblasi, Christian Deangelo, Scott Eaken, Kenny Quell, Heather Schoener, Nicole Schwenk

A motion was made by Gary Hadden and seconded by William Klein to approve the minutes from the regular meeting of November 5, 2020. Vote 3:0

An Executive session was held on November 16, 2020 at 10 a.m. – 1 p.m. to discuss potential litigation.

An Executive session was held on November 24, 2020 at 2 p.m. – 3:15 p.m. to discuss potential litigation.

POLICE DEPARTMENT – October report

The following statement was read by Solicitor Magovern to inform the public of some of the issues that went into the decision to dissolve the Northern Berks Regional Police Department.

At this time, the Supervisors would like to point out some significant factors that were considered by the Township when the Supervisors finally decided that the dissolution of the Northern Berks Regional Police Commission would be in the best interest of their residents. First, in June of 2019, Ontelaunee Township received an undated letter from Maiden creek Township signed by Heidi Fiedler. (See attached letter marked as Exhibit "A"). This letter advised Ontelaunee and Leesport that Maiden creek was going to unilaterally change its contribution to the Northern Berks police budget by using the percentage of 43.6%. It is significant to point out that this is the percentage first utilized by Maiden creek in 1998, over 21 years ago. Ontelaunee immediately responded by reaching out to Maiden creek asking for a joint meeting to be held among all representatives from Leesport Borough Council, Ontelaunee Township and Maiden creek Township to discuss the budget and try to come to a resolution. In August of 2019, this meeting was held, however, none of the Maiden creek Supervisors attended.

Ontelaunee sent a letter to the Maiden creek Township Supervisors advising Maiden creek that it could not unilaterally change the budget contribution based on the language of the Charter. (See attached letter marked as Exhibit "B"). In addition, Ontelaunee performed a detailed analysis looking at

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the amount of police calls for service in 2019 which shows Maiden creek calls are significantly higher per month than calls for Leesport and Ontelaunee. Maiden creek had a monthly average of 312 service calls compared to Ontelaunee Township's monthly average of 202 in 2019. Despite this fact, Maiden creek still maintained their position that it wanted to go back to its 1998 budget contribution of 43.6%. Maiden creek's rationale for going back to a contribution based on 1998 figures made no sense.

More significantly, despite numerous attempts made by Ontelaunee and Leesport to finalize and pass the 2020 police budget, the 2020 budget was not passed until August 2020. The meeting minutes from the Maiden creek Township Board of Supervisors meetings in 2020 demonstrate that Supervisor Heidi Fiedler continued to vote against approving a budget. Finally, at the July 9, 2020 Maiden creek Township Board of Supervisor meeting, the Maiden creek Supervisors authorized their representative Heide Fiedler to approve the police budget at the July 2020 Commission meeting. However, at the July 2020 Commission meeting, representative Heide Fiedler voted no and the budget failed to pass once again.

Maiden creek Township attempted to resolve its internal problems with supervisor/representative Heidi Fiedler. At the March 12, 2020 Maiden creek Township Board of Supervisors meeting, Supervisor David Franke called on Representative Fiedler to remove herself or resign from the Commission. Mr. Franke made a motion to remove Fiedler but it was not seconded so the motion failed.

Another factor that Ontelaunee considered when deciding to dissolve the Commission was the amount of money being spent by the Commission on frivolous claims. For instance, the Chief of Police was investigated for over four months. This investigation was found to be meritless and exaggerated. The Commission spent over \$64,913.90 in legal fees and wages during this four month investigation. The Chief was not allowed to work during the investigation which lasted from September 2019 to December 2019.

In addition, a complaint was filed with the Federal Government against the Chief for an alleged violation of the Hatch Act. Again, this Complaint was found to have no merit but cost the Commission a substantial amount of money in legal fees. (See the attached determination marked as Exhibit "C").

Based on the foregoing and several additional factors, Ontelaunee firmly believes it is in the best interest of its residents to dissolve the Commission and move forward with its own police department starting in May of 2021.

Please be advised that the Northern Berks Regional Police Department will continue to fully operate from now until its dissolution which is to take place on May 10, 2021. After May 10, 2021, the Township will have its own police department, a Chief of that department, and that department will continue to operate in the Township building where it is currently located. By having our own police department, the Township will be able to substantially reduce legal fees, mileage on police vehicles, lower fuel and decrease repair costs. Over time, the Township will save a substantial amount of money similar to what occurred when the Township dissolved the municipal Authority.

We appreciate your patience as this transition is occurring. We will continue to make informed decisions based upon the Township's needs. The public safety of our residents is our top

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priority. Please check the Township's website and attend Township meetings to receive more information as this transition occurs. We are excited for the transition and again firmly believe it is in the best interest of our residents.

A motion was made by William Klein and seconded by Kenneth Stoudt to approve a proposal from David A. Mettin, Doylestown to assist the Township in establishing the new department at a cost not to exceed \$7,500. Vote 3:0

Fred Harrison, Loose Lane, asked how many EDU's are available with McIntosh being built.

Unfortunately the number was not available but will be forwarded to Mr. Harrison.

Mr. Harrison asked some further questions such as how much is the budget. Ms. Berger explained the finances available in 2021. It was also explained that the Township would recoup 47.5% of the proceeds from the sale of the equipment. Mr. Harrison asked that if a commission was formed to deal with the new department that he would like to serve on the board.

Josh Santos, Oswego Lane, Willow Glen, questioned if there would be a School Resource Officer at the school. It was explained that this was discussed some months ago and the best thing would be to go to a school board meeting.

Lisa Unrath, Kindt Corner Road asked if there were any open grants and how will they be handled. It was explained that there were no more open grants. Chief Horner stated that there was a recently closed grant for \$4,000 but was extinguished as the officers did not partake in the grant.

Ms. Unrath stated that if there is a commission or a board put together to assist with the development of the new department she would be interested in being on the board. The consensus was to wait until the consultant had a report ready. Mr. Unrath also expressed concern about Kindt Corner Road across from her house and the deterioration of the roadway. Kindt Corner is a State road. She was asked to contact PA DOT, which she stated she has done. Ms. Berger will contact PA DOT to see if there is something that they can do.

David Reichline, Centre Twp., Ms. Magovern asked Mr. Reichline if he was a resident or a taxpayer in any of the municipalities impacted by the dissolution and he stated that he was not. He was asked to be seater.

Heidi Fiedler, Maiden creek Supervisor stated that since her name was brought up numerous times she wanted to clear things up. Ms. Fiedler stated that the legal fees were exorbitant due to claims made against Chief Horner. Ms. Fiedler also stated that in the letter of June of 2020 the Maiden creek supervisors issued a letter to Ontelaunee and asked the supervisors control Mr. Hadden.

Dave Franke, Maiden creek Supervisor, asked the supervisors to please reconsider and keep the NBRPD together. Mr. Franke stated that he understands how difficult it has become but he knows all the officers and we have a good department. It was acknowledged the officers do a great job and we have a fine department.

FIRE DEPARTMENT – No report

BUSINESS FROM FLOOR – was handled earlier in the evening

TAX COLLECTION: A motion was made by Kenneth Stoudt and seconded by Gary Hadden to approve the Tax Collector report for November 2020 as follows:

| | |
|------------------------|-------------|
| Real Estate Taxes - | \$ 6,175.12 |
| Real Estate Interims - | \$ |
| Street Light Tax - | \$ |

Vote 3:0

A motion was made by Kenneth Stoudt and seconded by William Klein to exonerate the following properties for 2020, they will be issued a changed bill: Vote 3:0

| | | |
|-------------------|------------------------|--------|
| 22 Rome Drive | Nguyen, Tracy & Thang | 404.80 |
| 331 Ida Red Drive | Kelly, Andrew & Nicole | 376.65 |
| 34 Danbury | Johnson, William | 342.23 |

ROADMASTER REPORT:

A motion was made by Gary Hadden and seconded by William Klein to approve the proposal from Arlan Wessner to patch Heffner Lane at a cost of \$2,275.00. Vote 3:0

A motion was made by Gary Hadden and seconded by William Klein to approve the proposal from Arlan Wessner to patch Indian Manor Drive at a cost of \$3,835.00 Vote 3:0

A motion was made by William Klein and seconded by Kenneth Stoudt to approve the proposal from Arlan Wessner to patch Leesport Avenue on Berkley Road, Willow Creek Road and to install a new catch basin. All jobs will be time and materials. Vote 3:0

ENGINEER REPORT NOVEMBER 2020

Subdivisions and Land Development Projects

1. McIntosh II

A revised plan was reviewed by the Ontelaunee Township Planning Commission at their meeting held November 19, 2020. Recommendations regarding waivers and conditional preliminary plan approval are listed on the meeting agenda.

2. Reitnauer Land Development Plan

Revised final plans were received and are being reviewed for compliance to the conditions of approval.

Comments regarding the Traffic Impact Study (Area-Wide) were provided to the Township and Gregg Bogia under separate cover.

The Sewage Facilities Planning Module and design (pump station and force main) for acceptance of the improvements by the Township is being reviewed by ARRO personnel. An escrow for the sanitary sewer improvements and sewage facility module review has been received.

3. **McIntosh Subdivision – 16 Lots**

ARRO personnel conducted site visits regarding improvement installations (curb).

4. **Willow Glen Subdivision**

Improvement inspection reports are attached.

5. **Harvest Subdivision**

An improvement inspection report is attached.

6. **Reading-Berks Storage LLC (19 Willow Creek Land Development Plan)**

A pre-construction meeting was held with the Berks Conservation District on November 9th for the project.

7. **Flex Membrane International Corporation Land Development**

ARRO personnel have been in communications with the developer's builder and excavator regarding provisions for on-site well metering and connection to existing facilities.

8. **UGI – Temple LNG Parking Land Development Plan**

ARRO personnel inquired to the developer's contractor regarding site improvements and the installation of a driveway pipe.

9. **Allan Myers Land Development**

An e-mail requesting follow-up to the PennDOT HOP's issued for the project (water and sewer connections on Leesport Avenue in the name of Ontelaunee Township) was forwarded to the developer and their consultant. The permits are due to expire in 45 days and require information regarding extending, closeout or abandonment of the HOP's be forwarded to PennDOT.

The following subdivision/land development plans remain active (*Items #10 through #14*); however, there is no activity since our last report.

10. Berman Freight Land Development Plan

A discussion was held with representative of Berman Freightliner and the Township on Wednesday, July 8, 2020 to discuss the calculation of EDU's for the facility. Following research by the Township staff the Sewer Capacity Agreement was revised by Attorney Magovern's office and forwarded to Berman Freightliner.

11. Brassler Parcel (Berks 222) Land Development Plan

ARRO personnel are conducting periodic site reviews of the improvement installations.

12. Five Star International

The final plan was conditionally approved at the February 7, 2019 Supervisors meeting.

A final conditions review correspondence was provided to the developer and their consultant on July 17, 2019.

A sewer capacity agreement was provided by Attorney Magovern's office and forwarded to the developer's consultant on January 16, 2019.

13. UGI – Berkshire Mechanical Land Development Plan

Approval of waivers and conditional plan approval was granted by the Board of Supervisors at their December 6, 2018 meeting. No additional plan submission has been received from the developer to address the conditions of approval.

14. Perdue Driver Depot Land Development Plan

At their meeting held April 5, 2018, the Board of Supervisors provided Preliminary/Final Conditional Approval based on satisfying the conditions in the ARRO review correspondence of March 13, 2018 and executing a sewer capacity agreement.

Attorney Magovern's office revised the project agreements (Improvement & Stormwater Maintenance) as requested by the developer's Attorney and forwarded them along with the Sewer Capacity Agreement to the developer on September 14, 2018.

15. General Engineering

- a. We calculated the liquid asphalt necessary for the proposed 2021 Gernants Church Road Improvement Project and a small quantity escalation clause resolution as discussed last month's meeting will not be required. The PennDOT Publication 408 escalation regulations will prevail. The scope of work for the project is the remaining paving work and pipe replacements/abandonment work proposed for Gernants Church Road between Loose Lane and Cedar Mill Run. The project is tentatively scheduled for bid opening at the Supervisors February 2021 meeting.

- b. The updated Transportation Capital Improvement Plan was forwarded to the Township under separate cover. Attorney Magovern's office prepared resolutions for adoption of the revised plan as well as revisions to the traffic impact fees. Motions for adoption of the resolutions are listed on the meeting agenda.

16. Water System Engineering & Reporting

- a. The sampling plan was updated to include the change of sampling on Margaret Avenue.
- b. Meter and purchased water records were reviewed for inclusion in Greenport Reporting.
- c. The water permit transfer is being discussed with PADEP for resolution. The documents have been forwarded to PADEP of two separate occasions. PADEP has now indicated that a check is required for the transfer to be recorded by PADEP.

17. Sanitary Sewer System Engineering

- a. ARRO continues the review of the Ontelaunee Pump Stations. A draft report was prepared and provided to the Board of Supervisors at their November 2020 meeting for review. The total probable cost of identified short term and long-term upgrades and modernization items was approximately \$1,500,000.00.

PennVest applications for such a project would be due February 3, 2021 for a PennVest meeting date of April 21, 2021 or May 5, 2021 for a PennVest meeting date to be determined.

Loan interest rates are 1.107% for the first five years and 1.861% for years six through 20 (maximum term, however there are exceptions).

A \$1,500,000.00 loan for 15 years would have a yearly payment obligation of \$113,200.00 (\$9,450.00 monthly) with a 20-year loan yearly payment obligation of \$88,300.00 (\$7,360.00 monthly).

- b. ARRO commenced preliminary design and calculations for PS #7 to accommodate existing sanitary sewer flows and potential additional flows. Pump start up information reveals that the pumps upon start up did not pump, assumed due to force main quality, the GPD as anticipated. The scope is expected to include, but not be limited to, upgrading the force main, pumps and controls for PS #7.
- c. ARRO personnel met with representatives of Quacker Packers and Kraft Code to review their short- and long-term proposal to address industrial discharges from their facility. The short-term proposal of complete haul-off is being implemented as of approximately November 7, 2020. The discharge from the grease trap has been plugged and locked.

The long-term solution is to abide by the agreement and not discharge waste exceeding the discharge parameters. They are currently conducting testing of various stages of

wastewater generation and will be presenting scenarios for the discharge in compliance with the sewer capacity agreement.

- d. Wastewater sampling data was reviewed. Additional sampling has and will be scheduled with MJ Reider for the industrial facilities as needed. LBA's consultant has requested additional Ontelaunee Township industrial sampling results. Doug Kopp will compile the available results and forward to LBA's consultant. ARRO personnel will be visiting Ontelaunee Township businesses to discuss recent testing in excess of the discharge parameters.
- e. The Leesport Farmers Market manhole discharging to the Ontelaunee Township sewer system is being reviewed (infiltration and waste strength) due to LBA's information regarding their sampling results.
- f. Crow Holdings is exploring the potential relocation of a portion of the sanitary sewer force main running parallel to SR 0061 from Maiden Creek north to Wiley's Road. A conceptual plan was received and reviewed with a conference call being held December 2, 2020. Items discussed were, but not limited to:
 - 1. The general concept of relocation was acceptable to the Township.
 - 2. Design will be by the developer with approval by the Township's consultants.
 - 3. Existing easements would be relinquished and new easements would be required to be established.
 - 4. Eliminate to the greatest extent possible the placement of the relocated force main under paved areas, specifically the ring-road shown on the concept plan.
 - 5. Review the potential use of casing pipes for potential perpendicular crossings of the force main under paved areas.
 - 6. Improvements/materials must follow the Ontelaunee Township Rules and Regulations and if not defined general engineering practices and/or the PADEP Wastewater Facilities Manual.
 - 7. The need to pump Heffner tract sanitary sewer to the proposed pump station located on the Reitnauer parcel was discussed and coordination of capacities for both facilities was implied as being required of the developer(s) (Crow Holdings, Reitnauer, GBDF).
 - 8. Review for the relocation of the force main can occur at the time of land development plan review.
 - 9. A separate escrow is required (\$10,000.00) for the relocation and planning module. This escrow is separate from the land development plan review escrow.
 - 10. It was noted that LBA will need to sign-off on the treatment portion of the sewage facilities planning module for the project prior to action by the Board of Supervisors.
 - 11. Relocation of the force main may require the issuance of a WQM Part II permit. They should verify but ARRO will also review/research.
 - 12. Submission of the Non-residential Sewer User Questionnaire was requested for the project as soon as possible.
- g. ARRO will provide updates for the Rules & Regulations to Attorney Magovern's office. Proposed additions to the document include flow meter and monitoring manhole details

for non-residential facilities, sewer saddle tap details, revisions to responsibilities regarding water meter purchase above ¾” meters and specifications for individual grinder pump units.

18. Sanitary Sewer Operations

- a. Services/activities were conducted identified under the Routine Operations scope of services outline in the Professional Services Agreement between Ontelaunee Township and ARRO.
- b. A review of installation of a “Muffin Monster” was reviewed for PS #4 & #7. This would circumvent solids from blocking a check valve and causing continual run of the pumps.
- c. ARRO personnel accompanied Emergency System Services for maintenance of the generators at PS#1, #3 & #6.
- d. Meter access was provided for calibration of the flow meters at PS #4 & #7 (on behalf of Leesport Borough Authority).
- e. The following alarm responses occurred during the period.
 - 1. Phase failure PS #1 - 10/31/2020
 - 2. Phase failure (Number of PS’s) – 11/21/2020
 - 3. Pump failure PS #8 – 11/20/2020 (New pumps installed by Hemmig).
 - 4. High-water alarm at PS #7 on 11/9/2020
 - 5. High-water alarms PS #4 on 11/2,9/2020

A motion was made by Kenneth Stoudt and seconded by William Klein to approve Resolution #2020-11 adopting the revised Transportation Capital Improvement Plan. Vote 3:0

A motion was made by Kenneth Stoudt and seconded by Gary Hadden to approve Resolution #2020-12 adopting the amended Traffic Impact Fee schedule. Vote 3:0

WATER DEPT.: November report submitted

MS4: Nothing to report

SOLICITOR : Nothing to report

CODE ENFORCEMENT – Report submitted

EMA COORDINATOR – Nothing to report

POLICE COMMISSION – Nothing to report

PLANNING COMMISSION –

McIntosh II

On the recommendation of the Planning Commission, a motion was made by Kenneth Stoudt and seconded by William Klein to grant a waiver to Section 403.B.3 of Stormwater Management Ordinance 2010-2 for Plan scale. Vote 3:0

On the recommendation of the Planning Commission, a motion was made by Gary Hadden and seconded by William Klein to grant a waiver to Section 314.A.4.c of Stormwater Management Ordinance 2010-2 to allow basin bottom to be less than 3 degrees, based on DEP requirement to have flat bottom basin. Vote 3:0

On the recommendation of the Planning Commission a motion was made by Kenneth Stoudt and seconded by Gary Hadden to grant conditional Preliminary plan approval, conditions are meeting all the requirements in the Arro review letter dated 11-18-20. Vote 3:0

EXPENDITURES

A motion was made by Kenneth Stoudt and seconded by Gary Hadden to approve expenditures for November in the amount of \$672,841.89. Vote 3:0

| | |
|--|---------------|
| General | \$247,037.84 |
| Developers A/C | \$ 9,526.50 |
| Water | \$ 60,671.61 |
| Sewer | \$ 355,605.94 |
| 21st Century Media - Philly Cluster | 496.13 |
| ARRO Consulting, Inc. | 24,557.18 |
| Comfort Pro, Inc | 1,783.15 |
| COUNTY PLUMBING & ELECTRIC | 667.73 |
| Crime Alert Berks County | 150.00 |
| Dallas Data Systems, Inc. | 14,524.00 |
| Daniel Dietrich c/o Stephen Dietrich | 115.00 |
| DCED | 238.50 |
| Elite Fuel Service, LLC | 1,939.64 |
| Emergency Systems | 862.00 |
| Envirep Inc | 560.00 |
| Exeter Supply Co, Inc | 16,054.83 |
| Fromm Electric Supply Corp. | 41.08 |
| H. A. Thomson Co. | 5,489.00 |
| Hartman Valeriano Magovern & Lutz P.C. | 6,853.69 |

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| Hemmigs Plumbing | 12,207.00 |
| J.P.Mascaro & Sons | 765.33 |
| KIM BERGER | 266.57 |
| Kraft Code Services LLC | 71,234.96 |
| KUZANS HARDWARE | 214.16 |
| LIFT, Inc. | 1,109.93 |
| Lowe's Home Centers | 30.70 |
| M.J. Reider Associates Inc | 2,160.00 |
| Maidencreek Township Authority | 16,321.78 |
| Master Meter Inc. | 1,200.00 |
| Met Ed | 4,044.41 |
| MET ED | 906.81 |
| Mountain View Graphics | 356.00 |
| Muhlenberg Township Fire & Rescue | 4,000.00 |
| Nester's Sanitation Inc. | 98.00 |
| Northern Berks EMS | 3,000.00 |
| NORTHERN BERKS REGIONAL POLICE | |
| DEPT. | 75,022.90 |
| Overhead Door Company of Reading | 613.00 |
| Pennaco Excavating, Inc. | 1,892.00 |
| PIRMA | 25,715.00 |
| Purchase Power | 907.50 |
| Reading Area Water Authority | 26,302.00 |
| Reading Office Maintenance | 170.00 |
| Rhoads Energy Corporation | 201.26 |
| Schultz Technology Solutions | 3,636.05 |
| Site Specific Design, Inc. | 144.00 |
| Stephenson Equipment Inc. | 227.28 |
| Stichter Sharpening & Custom Machining | 180.00 |
| Straub Roofing & Concrete Inc. | 3,285.00 |
| Summit Valley Outdoor Solutions | 4,168.91 |
| SV COMMUNITY LIBRARY | 6,000.00 |
| T. M. Bailey Services, LLC | 180.00 |
| TELCO, INC. | 89.75 |
| Tom Masano | 40.28 |
| TompkinsVIST Bank | 311,437.50 |
| UGI Utilities Inc. | 10.77 |
| UNION FIRE CO. #1 LEESPORT | 20,000.00 |
| VERIZON | 169.16 |
| W. B. Mason Co. Inc. | 116.95 |
| Yellow Rose Enterprises LLC | 85.00 |
| Grand Total | 672,841.89 |

OLD BUSINESS:

NEW BUSINESS:

A motion was made by Gary Hadden and seconded by William Klein to approve the service quote with Long and Barrell to complete the 2020 Tax Audit of the Tax Collector at an approximate cost of \$3,350.00. Vote 3:0

A motion was made by Kenneth Stoudt and seconded by Gary Hadden to approve the 2021 Caselle Annual Maintenance and upgrade agreement with Dallas Data systems at a cost of \$14,524.00. Vote 3:0

A motion was made by Gary Hadden and seconded by William Klein to adopt Resolution #2020-10 setting the tax millage at 4.05 mills for 2021. Vote 3:0

A motion was made by Gary Hadden and seconded by Kenneth Stoudt to give final approval of the 2021 budget. Vote 3:0

A motion was made by Kenneth Stoudt and seconded by Gary Hadden to contract with Yellow Rose Enterprises to plow the sewer pump stations as per the quote of November 27, 2020. Vote 3:0

The following meeting dates for 2021 have been advertised

Reorganization – Monday, January 4, 2021 at 6 p.m. following by regular meeting at 7 p.m.

All other regular Supervisors meetings 1st Thursday at 7 p.m.

Planning Commission – 3rd Thursday at 7 p.m.

Actual dates were advertised in the newspaper

UPCOMING MEETINGS/INFO:

Dec. 14 – 6:00 p.m. – NBRPD

Dec. 17 – 7 p.m. – Planning Commission

Dec. 24 & 25 – Office Closed – Christmas holiday

Jan. 4, 2021 – 6 p.m. - reorganization

Jan. 4, 2021 - 7 p.m. - Board of Supervisors meeting

ADJOURNMENT

A motion was made by Gary Hadden and seconded by Kenneth Stoudt to adjourn the monthly meeting at 8:00 p.m. Vote 3:0

Respectfully

Kim Y. Berger
Secretary