

**MINUTES OF THE REGULAR MEETING OF THE SUPERVISORS OF HEIDELBERG TOWNSHIP HELD
OCTOBER 31, 2019**

PRESENT: David Randler, Thomas Schoener, Terry Wolfe, David Manbeck, Carol and Robert Keppley, Solicitor Haws, Blair McKim, Dr. Joseph Birli, Bill Oswald, Debra Schoener, Sharon Knoll, Gary Knoll, Kenneth Kissinger, Sherry Mills, Kevin Snyder, Brenda Bennick, Lori Brown, Ruthie Wolfe, Michele Davis, Keith Smoker and Cheryl Bowers. **ABSENT:** SUPERVISOR BRIAN THUMM.

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

AUDIENCE PARTICIPATION

BETHANY CHILDREN'S HOME (Blair McKim and Dr. Birli) – Mr. McKim asked whose responsibility is the Water Street sewer line. There is an agreement from 1994 which states it is the responsibility of Heidelberg Township. Mr. McKim stated that Bethany has done work on the lines at Bethany, however there are major problems in the line from the creek and the VFW which are beyond Bethany's scope. Dr. Birli stated that Bethany was paying Heidelberg Township approximately \$7,000 a quarter from 1999 to 2004 and in 2005 they started to pay Womelsdorf Sewer Authority. Prior to 1999 Bethany was on a septic system. Invoices were given to Solicitor Haws. Mr. McKim said that the sewer line was put in in the '60's because of pending sewer line on Ryeland Rd., however that never happened. Mr. McKim said they videoed the line to the creek, however the ground was too wet at that point to determine anything. Solicitor Haws said he doesn't have a copy of the 1994 agreement. Solicitor Haws also said he talked to Attorney Ed Kelly from Fox Rothschild and that they want to discuss different options and will try to attend the November meeting. Chairman Randler instructed Carol Keppley to look through old files. Bethany will also do further research at their end.

WILLIAM OSWALD – Mr. Oswald is concerned about people throwing mown grass onto the roadway. Heidelberg does not have an ordinance. After much discussion, Solicitor Haws will move forward and prepare an Ordinance. Question arose as to who is going to enforce the ordinance.

RUTHIE WOLFE – Mrs. Wolfe addressed her comments to Supv. Thumm, however Supv. Thumm was not in attendance. She asked that Heidelberg Township has the same issues as Bernville and Supv. Thumm stated in the news media that the decision should be up to the people. When the people of Heidelberg Township voiced their opinion, three Supervisors did not listen. She also said Supv. Thumm said "it's the right thing to do" at a previous meeting. Mrs. Wolfe would like to know what the difference is between Bernville and Heidelberg Township and what is the hurry to do away with our police department. Chairman Randler said yes, it is the right thing to do. We will be getting 24/7 coverage instead of waiting for state police to respond and there will be 2 SOR's instead of one. Mrs. Wolfe said she didn't think that was exactly true regarding the 24/7 coverage. Chairman Randler then went into Supv. Wolfe posting things on social media.

DEB SCHOENER – Mrs. Schoener read a written statement which drew applause when she finished. A copy is attached to the minutes.

MINUTES: The minutes of the September 26, 2019 meeting were emailed to all. Supv. Manbeck made a motion to approve the September 26, 2019 minutes as circulated, seconded by Chairman Randler and passed unanimously.

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MINUTES CONTINUED

The minutes of the **WORKSHOP MEETING** of October 10, 2019 were emailed to all. Supv. Manbeck made a motion to approve the workshop meeting minutes, seconded by Chairman Randler and passed unanimously.

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

PAYMENT OF BILLS – Treasurer Carol Keppley presented the bills for payment. Supv. Wolfe made a motion to pay the bills as presented, seconded by Supv. Schoener and passed unanimously.

2020 BUDGET – Treasurer Carol Keppley distributed the 2019 budget to review and make changes for the 2020 budget. She stated that the County needs to know by the end of December if there are going to be any changes in taxes. It was decided that the Supervisors will go over the proposed 2020 budget at the Nov. workshop meeting.

COMMITTEE REPORTS

SEWER – Chairman Randler reported that nothing has been done regarding the flow meters and the control panel in Fry Manor. Chairman Randler said a decision needs to be made to either dig up and put 2 manholes in or just a sleeve. Discussion on the transportation fee which has been paid to Robesonia for the last 30 years. Chairman Randler said he should remind Robesonia they should use that money to fix the lines in Fry Manor and repair any infiltration. This came to light because of the video of N. Freeman St. and found grease from Ozgoods, who is Robesonia's customer.

Supv. Schoener asked if there is any documentation from Robesonia.

Mrs. Wolfe asked if Supv. Thumm and Chairman Randler were on the committee and isn't it their job to bring back solutions to the Board.

Supv. Wolfe said an outfit that was recommended by Supv. Thumm as Bernville used them. They were then contracted to do the work in Fry Manor. There was never a signed contract from this company.

Supv. Schoener said that nothing has been fixed in Fry Manor for years. This current work has created more problems, especially after they compacted the road. Residents have made complaints.

Solicitor Haws stated this was deemed an emergency which allows a municipality not to go out for public bid.

Carol Keppley said in 2017 she reported to Chairman Randler the readings were running high in Fry Manor and he did nothing about it. It was also on the report from the monthly reports from Environmental Solutions.

POLICE & FIRE – The November schedule was circulated. Supv. Schoener made motion to approve the November schedule, seconded by Supv. Manbeck and passed unanimously. Request for Fire Police for the Chocolate Frosted Buns 5K race was tabled.

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COMMITTEE REPORTS CONTINUED

POLICE & FIRE CONTINUED - Supv. Schoener questioned #6 **HOURS OF POLICE SERVICE** on the South Heidelberg proposal. Solicitor Haws stated the proposal is not the final copy; Solicitor Haws is preparing the final agreement. Supv. Schoener stated that #6 should be changed as the 40 hours of coverage is not correct. There will not be a patrol car in Heidelberg Township for 40 hours a week which is currently what we have and more. Any time South Heidelberg Police spend on matters on Heidelberg Township, those hours will be deducted from the 40 hours, such as; paperwork, court time, community events, Bethany and Conrad Weiser School incidents which take many hours – which means the 40 hours, is not 40 hours of “boots on the ground”. Chairman Randler stated if South Heidelberg is on patrol more than 40 hours we will get charged or the time is taken off the next weeks 40 hours. Deb Schoener said that at the September meeting Chairman Randler told Sean McKee that this is a standard contract and needs to be revised.

Chairman Randler said nothing is going to change in # 6 of the proposal.

Supv. Schoener also questioned #8 in regards to the Chairman of the Board of Supervisors of Heidelberg shall have access to communicate concerns and suggestions to the Chief of Police of the Police Department or his designee as concerns arise. The Chief of Police or his designee shall be available to the Chairman of the Board for the above purpose at all times. Supv. Schoener said how can one person be in charge and the other 4 have no input. Chairman Randler stated that the Robesonia contract reads the same. Supv. Schoener asked the audience if everyone happy with the proposal. No one said they were. Again the question was asked why we are rushing into this contract when no one knows how it will eventually work.

PLANNING COMMISSION – There was no meeting in October.

ROADS, BLDG. & EQUIP. - The road report was circulated. The bin blocks are being stock piled and the road work begins next week.

RECREATION BOARD/POOL – No report

ZONING HEARING BOARD – No report

BUILDING INSPECTORS REPORT – TEI report emailed to all.

ENGINEERS REPORT – TEI report emailed to all.

PLUMBING & SEO – TEI report emailed to all.

PENSION BOARD (Randler, Thumm & Stone) – No report.

UNFINISHED BUSINESS

ZONING ISSUES – TEI Jackson inspection was emailed. All agreed to have Quinn continue inspections till the end of the year.

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UNFINISHED BUSINESS CONTINUED

TELCO – Chairman Randler will contact Telco. We have a bill from Telco for \$3,437.65 dated 7/12/19 and one from 8/30/19 for \$253.13. Carol is waiting for instructions on what to do.

NEW BUSINESS

REGULATORY ALERT (Franchising fees) – Solicitor Haws said the email everyone received was from Cohen law firm regarding the landmark FCC order changes cable franchising rules. This was tabled for discussion next month.

ANIMAL RESCUE PROPOSAL - No comment.

FIRE EXTINGUISHER – Supv. Schoener made a motion to authorize the inspection and change 15 units at a cost of \$486.20, Motion seconded by Supv. Wolfe and passed unanimously.

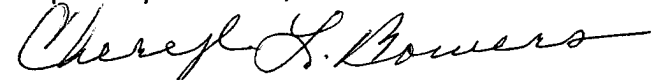
PA ONE CALL MAPPING – Tabled.

Supv. Schoener stated that the Township spent over \$4,000 on a new Comcast phone system which was never discussed and they were taken out when the pool didn't receive free Wi-Fi. A new phone system was installed and the phones are still not working properly. Discussion on the discontinuation of Comcast service since the pool did not receive free Wi-Fi.

Supv. Wolfe stated that employees are being called and told who to vote for. Chairman Randler said that he called a lot of people. Supv. Wolfe said yes and when you called Troutman's you didn't tell the truth.

At this time Chairman Randler called an executive session to discuss personnel. Time 9:04 PM
The meeting was reconvened at 9: 25 PM. No action was taken.

Respectfully submitted,



Cheryl L. Bowers, Secretary

MEETING DATES:

Workshop – Thursday, Nov. 14, 2019 – 7:30 PM

Regular meeting – Thursday, Nov. 25, 2019 – 7:30 PM

I would like to discuss something I believe the people of the township want which are Supervisors who are leaders.

Traits of leaders include transparency, openness, authenticity, integrity, open-mindedness, and accountability. Build trust, buy-in, and a culture that works together and supports each other. "Doing what's right instead of needing to be right"

Traits of followers include relying on others, not taking initiative, using others ideas, afraid to lead, not putting in the efforts of others.

Traits of bullies include having an agenda, pursuing power and influence, arrogance, creating havoc and divisiveness, irresponsible actions and decisions, lacking empathy, blaming others, and taking control instead of inspiring others.

Ethics of leadership include modeling ethical behavior, building trust, credibility and respect, collaboration among the team, creating a good climate by sharing power and not abusing it. Affording self-respect "being able to sleep at night due conducting yourself with integrity"

I ask each of you to consider are you a leader, a follower, or a bully.

Manbeck-you stated "no one has called you", were not at the meeting, did not bother to want to be informed about what the people had to say. Good leaders would reach out and get the opinion of others.

Thumm-you stated "it is the right thing to do" This did not answer the question but showed you could not think for yourself and give evidence of why it was the right thing to do. You did not listen to what the people had to say but stated regarding your own job in Bernville, "let the people decide". But when you had an opportunity to let the people be heard and you were in a position to hear from the people, you decided that wasn't important.

Wolfe-People want facts and truths not rumors and assumptions. We want everyone to be civil and have the ability to work together.

Schoener-You need to lead from your head and not just your heart. Decisions are hard and may and will affect people but your job is to make decisions based on what is in the best interest of this township.

Randler- The best team doesn't have all of the best skills but it takes a great leader to manage and bring a team together by admitting fault, fostering inclusiveness, relying on your team, delegation, and being able to trust one another.

You have failed us as the Chairman.

Snyder-Should you be on the other side come January, I am hopeful you will have an open mind, be a leader and not allow outside influences and relationship to cloud your judgement.

You cannot censor me or the rest of this township as you have tried. NO matter the outcome of the election, I am here to be part of the solution and not the problem and I am committing to holding each of you accountable for your actions and decisions going forward. As I hope the rest of the township is behind me on this. This does not end here.

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PRESENT: David Randler, David Manbeck, Brian Thumm, Thomas Schoener, Terry Wolfe, Solicitor Haws, Cheryl Bowers, Chief Stone, Eileen Zerbe, Michael Davis, Dennis Bricker, Rebecca Randler, Samatha Oxenreider, John Oxenreider, Kolton Ulrich, Stefanie Ulrich, Will Arndt, Kenneth Kissing, Traci Kissing, Deb Scoener, Mary Kramer, Lori Wensel, Mark Wensel, Bill Knapper, Molly Knapper, Kelly Knapper, Lori Brown,, Kevin Kurtz, Sharol Knoll, Gary Knoll, Wanda Bond, Ronald Bond, Brenda Bennick, Rick Hartlieb, Michelle Pearson, Savanna Bowers, Curt Pearson, Brenda Wagner, Mark Wagner, Ruthie Wolfe, Tom Benfer, Steve Butler, Chris Butler, Ruthie August, Mike Angust, Kevn Snyder, Cheri Benfer, Tim Wagner, Ken Buck, Eva Stone, Jennifer Connors, Sherry Mills, Eric Goudy, Chief Grim, Tom Burne and Michael Wagner.

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

At 7:32 PM Chairman Randler called an executive session to discuss possible litigation.
The meeting was reconvened at 7:43 PM. No decision was made by the Board.

AUDIENCE PARTICIPATION

KEVIN KURTZ (ROBESONIA COMMUNITY LIBRARY) - Mr. Kurtz thanked the Board for their \$2,000 yearly donation. The state and county are recommending municipal support reach a level of \$2.50 per resident. Our current giving equals \$1.16 per resident, however the Library Board respectfully requests Heidelberg Township donation equal \$1.50 per resident for 2019, which would come to \$2,586.00 a year. Mr. Kutz circulated statistics. Residents of Heidelberg Township borrowed 3,117 items and this does not include computer usage or programs attended by Heidelberg residents. No decision was made.

RUTHIE WOLFE – Mrs. Wolfe read a prepared statement. She has lived in the Township for 39 year and taught in the Weiser District for 35 years and feels it is important to speak out. She questioned if the Sunshine Act has been violated. Can an agency participate in a vote if a person is not physically in attendance and did not hear any comments? Mrs. Wolfe said she will be filing a complaint as a violation of the Sunshine Act. The audience applauded.

Chairman Randler stated they will rectify the vote.

Lori Brown asked Supv. Thumm – as a policeman in Bernville, why would you vote to eliminate another police department? Supv. Thumm stated he is not here to discuss Bernville.

Supv. Wolfe said the Chairman will be taking a vote – this time it will be legal since Supv. Manbeck is in attendance, so everyone can save their breath.

Chairman Randler asked Supv. Wolfe why he is stirring up trouble. Supv. Wolfe said we have good employees and there is no reason to get rid of them. Supv. Wolfe said it should have been presented to the Board the proper way – not behind their backs.

Supv. Schoener said the proposal states -“ The Heidelberg Township Chairman or designated Township Representative will have access to the Chief of Police or his designee 24/7 to provide input

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concerning the Township activity. As situations are presented by the Chairman or Designee, the South Heidelberg Police Department will address those areas of concern.”

Steve Butler said by voting for the current Supervisors, the residents charged them for managing the community. There is nothing urgent here and you (Chairman Randler) are ignoring the residents without offering any alternatives. The South Heidelberg offer is not going away, why can't we just watch and see. Look what happened to Western Berks. Mr. Butler also said, “You, Mr. Randler smirked and looked everyone in the eye and went on to take a vote, you are driving this vote.”

Mr. Butler went on to say that Mr. Randler, as the owner of a restaurant which holds a liquor license, and as such, cannot vote on matters of police. Mr. Butler circulated a letter regarding this matter. Solicitor Haws said what Mr. Butler is quoting is referencing something from 16 years ago. Solicitor Haws said it is not current and was misinterpreted. Chairman Randler read the new finding which states it must be in the jurisdiction. Mr. Butler stated he will still write a letter.

Ruthie Wolfe asked Supv. Manbeck why he would vote to eliminate the police department. Supv. Manbeck replied that he is not in favor of regionalization, but is in favor of contracted services. Mrs. Wolfe also asked Supv. Thumm again why he voted in favor and he replied “it's the right thing to do”.

Chairman Randler was asked how many boards he is serving on – Chairman Randler said that has no bearing on this matter.

Chairman Randler was also asked when there is a problem with the roads, building or anything else in the municipality – don't you bring it back to the board and discuss it. Why did you not do this with the police?

Kenneth Kissinger said this should be put on the ballot. Solicitor Haws said “you don't understand the process”

Michele Pearson stated that without a police station in each municipality it will have a negative impact on the community.

A Conrad Weiser student stated that the SRO does a fantastic job. The kids trust him and are very comfortable with him.

Mr. Ken Buck, Principal of Conrad Weiser Middle School, said he has been in education for 2 decades and that Chief Stone and Officer Devore are doing an outstanding job. They both understand the kids.

After many more negative comments regarding the South Heidelberg Township proposal, Supv. Schoener made the following motion:

Supv. Schoener made a motion to keep the Heidelberg Township Police Department in tack until December 2020. Discussion; Supv. Wolfe asked why Supv. Thumm and Chairman Randler don't get along with Chief Stone and Officer Devore. Supv. Wolfe stated that Chairman Randler made the comment that he will

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"clean house". Voting yes; Supv. Wolfe and Supv. Schoener. Voting no; Chairman Randler, Supv. Manbeck and Supv. Thumm. The motion did not pass to retain the police department till 2020.

Solicitor Haws discussed the process moving forward. The Supervisors must authorize the Police Services Agreement and approve an Ordinance. A vote must be taken to advertise the Ordinance and another vote to pass the Ordinance. In the Police Service Agreement changes were made – assignment of the SRO, 40 hours of coverage which will not all be in the municipality might be another change.

To correct the vote from the last meeting to accept South Heidelberg's proposal, another vote was taken. Chairman Randler made a motion to accept the 3 year proposal and proceed with contracted services for police coverage with South Heidelberg Township also South Heidelberg Township will assume the obligation under the MOU dated 6/19 for the SRO, subject to Conrad Weiser giving consent. Motion seconded by Supv. Thumm. Voting in favor; Chairman Randler, Supv. Thumm and Supv. Manbeck. Voting no; Supv. Wolfe and Supv. Schoener. Motion passed.

Supv. Thumm asked Chief Grimm what South Heidelberg's intent will be to provide Conrad Weiser with an SRO. Supv. Wolfe asked if there is any interest in keeping Officer Devore as SRO. Chief Grimm said no comment.

South Heidelberg Police Chief Grimm was asked by a member of the audience if there would be a precinct in Heidelberg Township and he answered no.

Supv. Manbeck made a motion to proceed to advertise the Ordinance for the Intermunicipal Agreement for Police Coverage by South Heidelberg Township. Motion seconded by Supv. Thumm. Voting yes; Chairman Randler, Supv. Thumm and Supv. Manbeck. Voting no – Supv. Wolfe and Supv. Schoener. The motion passed.

At this time the meeting was resumed to complete the agenda of the September 26 meeting. At the September 26 meeting, after audience concern regarding the loss of Heidelberg Township Police Department, the meeting could not continue due to a lack of a quorum.

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MINUTES: The Minutes of August 29, 2019 minutes were circulated. Supv. Manbeck made a motion to approve the minutes as circulated. Motion seconded by Chairman Randler and passed unanimously.

TREASURERS REPORT: The September treasurers report was circulated. Chairman Randler made a motion to approve the September treasurers report, seconded by Supv. Manbeck and passed unanimously.

PAYMENT OF BILLS: The bills were presented for payment. Chairman Randler made a motion to pay the bills as presented. Motion seconded by Supv. Thumm and passed unanimously.

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COMMITTEE REPORTS

SEWER – Chairman Randler discussed the 1968 Agreement with Bethany. In it, it states Heidelberg Township owns the sewer line and must maintain it. After discussion, Secretary will send Bethany a letter inviting them to attend the Oct. 31 meeting. Chairman Randler reported that the lines on N. Freeman St. were televised and the laterals were found.

POLICE & FIRE - Supv. Schoener made a motion to accept the resignation of Officer Eric Goudy, with regret, effective Oct. 2, 2019. Motion seconded by Supv. Wolfe and passed unanimously.

PLANNING COMMISSION – There was no meeting in Oct.

ROADS, BLDG. & EQUIP. – Supv. Schoener made a motion to extend the time for the 2019 road work to be completed by Nov. 15, 2019. Motion seconded by Chairman Randler and passed unanimously. The cost of salt from the County is .36 a ton more than the state.

RECREATION BOARD/POOL – No report.

ZONING HEARING BOARD – No report.

ENGINEERS REPORT – Report was emailed.

PLUMBING & SEO – Report was emailed.

PENSION BOARD (Randler, Thumm & Stone) – No report.

UNFINISHED BUSINESS

ZONING ISSUES- Zoning Report was emailed. Secretary to tell Quinn that the Kissling property is status quo.

TELCO – Chairman Randler will contact Telco.

CORRESPONDENCE

Nothing

NEW BUSINESS

JACK FROST PARADE – Supv. Schoener made a motion to donate \$1,000.00 to the Jack Frost Parade, seconded by Chairman Randler and passed unanimously.

BERKS COUNTY ASSOC. OF TOWNSHIP OFFICIALS – Convention 10/17 in Oley.

MARLIN HORST – Berks County Conservation District reported a violation – Report was emailed.

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NEW BUSINESS CONTINUED

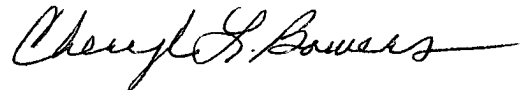
TOSCO RESIDENCE – Mr. Tosco is requesting a zoning change to allow for a restaurant and vineyard. Received an email from Jen VanDyke of Technicon outlining the process. She will send Mr. Tosco a letter.

SOCIAL MEDIA POLICY – Chairman Randler said the Township's Facebook should be information only and eliminate any comments. This met with a heated discussion and it was tabled.

Supv. Thumm called Eric Goudy on the phone to come back to the meeting stating the Board has questions. Supv. Wolfe said he didn't have any questions and wondered why he was called back in. Supv. Schoener and Wolfe thanked Officer Goudy for his service. Officer Goudy said he thinks the entire Board has the best intentions of the Township and would like to see more communication. He also stated he would have loved to continue to work for the department but must move on. Supv. Thumm asked if the Board chased him out. He replied that he has been looking for 6 months but it didn't help.

There being no further business the meeting was adjourned on a motion by Chairman Randler, seconded by Supv. Manbeck and passed unanimously. – Time 9:45 PM

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Cheryl L. Bowers".

Cheryl L. Bowers, Secretary

NEXT MEETING: OCTOBER 31, 2019 – 7:30PM