TOWNSHIP OF BERN
BERKS COUNTY, PENNSYLVANIA

March 3, 2020

SUPERVISORS MEETING

SUPERVISORS PRESENT: Irene Reed, Chairman
Brian Eveland, Supervisor
Jeff Thompson, Supervisor
Daniel Tobias, Supervisor

STAFF PRESENT: Brian Potts, Township Manager
Diane DeJesus, Secretary/Treasurer
Wesley Waugh, Chief of Police
Timothy Dietrich, Esquire
Kent Morey, Engineer
Bradley Pflum, Code Enforcement

CALL TO ORDER-PLEDGE OF ALLEGIANCE

Mrs. Reed called the meeting to order at 7:00 PM in the Bern Township Municipal Building.

CONSENT AGENDA

Mr. Thompson moved to approve the Consent Agenda, as presented, which included the minutes of the February 4, 2020 Supervisors Meeting and to accept the finance report, subject to audit and approve payment of bills on the list, seconded by Mr. Eveland. YES: Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

FINANCE REPORT

Balances as of March 3, 2020: General Fund: $1,391,822.80 State Account: $575,725.29, PLGIT: $66,521.24, Certificate of Deposits: $545,887.95, Expenses: $53,590.83. Treasurer's Report accepted subject to audit.

TOWNSHIP MANAGER

A copy of the report was given to the Supervisors. Mr. Potts informed the Board that Paul Janssen has requested $3,000.00 additional reimbursement for the fire company study because it is becoming more involved than originally thought and that Mr. Janssen is working on a budget for the fire company and the social club. Mr. Potts also stated that the additional amount could be paid out of the fire protection fund. Mrs. Reed asked if the budgets were included in the originally quote and Mr. Potts stated they weren't. Mr. Thompson asked if Mr. Potts felt Mr. Janssen was doing a good job and Mr. Potts stated yes and then he asked Mahlon Auker, Chief of Greenfields Fire

Company, if he felt Mr. Janssen was doing a good job and Chief Auker said yes. Mr. Thompson made a motion to approve providing $3,000.00 extra to Mr. Paul Janseen for the fire study; Mr. Eveland seconded. YES: Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Mr. Potts also provided a brief update on precautions being taken by the Township against Coronovirus.

PUBLIC COMMENT

David Hoshaua from 405 S. Tulpehocken Road complained about speeding on the road and also stated that he had been told that Greenfields Fire Co. had not shown up for the call at 411 S. Tulpehocken Road. Chief Auker stated that was incorrect and that they were actually on another call at Phillips Van Heusen when the call for 411 S. Tulpehocken Road. Chief Waugh responded to the speeding complaint by telling Mr. Hoshaua not to wait until a meeting to inform him of a situation because the department will spend spare time in areas that residents' express concerns about.

Sharon Henke from 10 Heather Lane expressed concern regarding the signs at Acadia.

PUBLIC SAFETY AND SERVICES

Fire Company

Greenfields – Chief Mahlon Auker gave the report.

Mt. Pleasant – A report was submitted.

Union Fire Co. – A report was submitted.

Emergency Medical Services

Western Berks- A report was submitted.

Northern Berks EMS –No report was submitted.

Emergency Management

Mr. Kevin Hinkle submitted his monthly report to the Board.

Police Department

Chief Waugh gave his report to the Board. The Bern Township Police Department responded to 606 events and requests for service during February 2020 and informed the Board about some local scams and drug arrests and also that residents have asked why the department has been spending a lot of time at the roundabout on Route 183. Chief Waugh explained that it is not due to the roundabout, but rather a busy traffic location for officers to utilize the tag reader.

Claudia Radle expressed concerns about the roundabout on Route 183 and lighting. Mr. Potts stated it is not complete and it will have a light in the center.

Discussion/ Approval of Sergeant Financial Crime Training- Chief Waugh requested a motion for approval to send Officer Joshua Santos to a free 40-hour evidence technician training course provided by the Berks County District Attorney's Office. Mr. Thompson asked if there will be any overtime expenses and Chief Waugh said no. Mr. Thompson made a motion to approve sending Officer Joshua Santos to the evidence technician training course; Mr. Eveland seconded. YES: Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried. Mr. Eveland asked why there needed to be Board approval if the training is free. Mr. Potts explained it has to do with length of time the officer would be away and if there are hotel expenses or travel expenses.

PLANNING/ZONING/CODE ENFORCEMENT

Engineer - A copy of the report was given to the Supervisors by Mr. Kent Morey. Mr. Morey apologized for the late notice, but he informed the Board that the Enersys Stormwater Agreement for the new driveway was ready for approval and that nothing on the plan was changed except the walkway was being eliminated. Mr. Thompson made a motion to approve the Enersys Stormwater Agreement; Mr. Tobias seconded. YES: Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Planning Commission

Discussion/ Approval of the Reading Behavioral Health Signage- Mr. Denny Boyer from Signature Signs provided papers depicting the signs and went over the details of all the signs including a mistake on the one sign which depicts the address, which will be removed. Ms. Claudia Radle asked questions about the difference in wording on the signs and the usage of the word hospital and Mr. Tobias stated that it was not supposed to be called a hospital. Atty. Dietrich stated that the Township only has the right to approve a sign under the specifications of the ordinance and that he is not sure legally the Township has a right to tell a business what can be worded on a sign with the exception of something offensive. Ms. Radle feels the signs are confusing to consumers. Mr. Boyer suggested that if the issue is the word hospital than there is a possibility of just removing that word. Ms. Kelley Wickersham expressed her concerns with the word hospital being used. Chief Waugh stated he appreciated the sizing of the letters on the signs because they make it easier for emergency personnel to see. Mr. Thompson expressed his opinion and stated that he felt that the signs could be approved with the exception of the word hospital and that another word would need to be chosen for the description or not at all. Mr. Thompson stated that if there were no objections he was going to make the motion based on his statement. Mr. Boyer stated he wanted to say something and Mr. Thompson temporarily withdrew his motion. Mr. Boyer stated that he would suggest the directional sign should say Tower Behavioral Health with the elimination of the word hospital. Mr. Thompson made a motion the approve the signs contingent on the removal of the word hospital; Mr. Eveland seconded. YES: Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Discussion/ Approval of Berks Park 183 Municipal Improvements Agreement- Mr. Potts stated that Atty. Mooney has prepared the agreement for the Supervisors' consideration. Mr. Thompson made a motion to approve the Berks Park 183 Municipal Improvements Agreement; Mr. Tobias seconded. YES: Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Discussion/ Approval of Berks Park 183 Stormwater Agreement- Mr. Potts explained that this agreement states that BCIDA is responsible for the care of their storm drainage facilities and provides and easement for the Township to access them if needed. Mr. Thompson made a motion to approve the Berks Park 183 Stormwater Agreement; Mr. Eveland seconded. YES: Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Discussion/ Approval of G&T Driveway Width Resolution 152-8.T(7)(c)- Mr. Potts stated that the driveway width requirement is less than what G&T is proposing and that they would like the driveway width to be wider so that trucks can get into the entrance of the facility easier. Mr. Potts stated that the planning commission recommended approval of the resolution. Atty. Dietrich suggested that the Board approve the resolution subject to it being written. Mr. Thompson made a motion for approval of the G&T Driveway Width Resolution 152-8.T(7)(c) subject to it being written by the township solicitor; Mr. Eveland seconded. YES: Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Discussion/ Approval of G&T Sidewalk Waiver 152-8.K- Mr. Potts stated that there is no sidewalk network and that it wouldn't make sense to require sidewalks on a dead-end street. Mr. Tobias asked if there were any other plans to require anyone else nearby to put sidewalks in. Mr. Potts stated no. Mr. Thompson made a motion to approve the G&T Sidewalk Waiver 152-8.K; Mr. Tobias seconded. YES: Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Discussion of the Carriage House- Karen Kreider from Hoffert Land Surveying explained that the client would like to proceed with a scaled back version of the original land development plan from 2015. Ms. Kreider went over the changes to the plan and also stated that The Carriage House's application to the Historic Places Registry has been accepted. Mrs. Reed asked if the original land development plan has been withdrawn and Ms. Kreider stated that the new plan would supersede the old plan. Atty. Dietrich stated that the old plan has to be withdrawn. Mrs. Reed stated the township needs a formal letter of withdrawal. Atty. Dietrich stated that a letter could be submitted with the new plan. Mr. Potts stated that the gravel parking lot does not conform to township zoning code or the SALDO and that a variance had been applied for to not pave the parking lot and it was denied by the Zoning Hearing Board. Ms. Kreider stated that Mr. Morey had stated that the stormwater facility at the parking area needs to be addressed and proof that it is built correctly. Ms. Kreider stated that the premise of tonight's meeting was for the client to be able to move ahead with the simplified land development plan and that they do intend to pave an area from the road to the gravel to keep gravel off of the road. Atty. Dietrich stated that Township ordinance must be followed. Mr. Morey stated that as it stands the parking lot does not meet ADA Compliance with a gravel parking lot. Brad Pflum stated that an ADA space cannot be more than a 2% slope in any direction. Atty. Dietrich stated that Township Ordinances must be followed and that there are two choices, use the current plan or submit a letter and a new plan because as it stands at least one of the pages of the original plan shows things that may have become facts on the ground, but were not legally authorized and if the original plan is used there needs to be a note on the plan stating that part of the drawing is reflective of physical conditions, but doesn't reflect approved conditions. Ms. Genduso stated that there are ADA parking spaces on the new plan closer to the barn.

Discussion of Parking Requirements for Industrial, Wholesaling or Warehousing Uses- Mr. Potts stated the Township parking requirements were compared to those of Maidencreek, Ontelaunee and Spring Township and that it does seems as though the Township's parking requirements are a little heavy. Mr. Potts stated that the recommendation would be for one parking space per employee for the two largest shifts, ten spaces for visitors for the first 10,000 square foot of floor space and one visitor space per each additional 20,000 square foot of floor space. Mr. Potts also stated that if the use of the building changes or if the building is expanded the parking would have to be revisited for compliance. Mr. Thompson stated that it also needs to take into account an expanding workforce. Mr. Tobias asked if any of the current plans have been compared to the possible new numbers to see how they compare. Mr. Potts said no, but he felt that was a good idea. The Board will discuss the topic again later.

Time Extensions

G&T Industries Preliminary Plan- Mr. Thompson moved that if an extension of time has not been granted by the applicant, prior to the expiration date of March 9, 2020, that the plan shall be rejected for the reasons set forth in the latest engineering review letter. Mr. Tobias asked for clarification of what the statement means. Atty. Dietrich explained that it means the Township will reject the plan if the developer does not provide us an extension of time. Mr. Tobias seconded. YES: Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Code Enforcement

Brad Pflum provided a copy of his report to the Board and stated that the Riveredge hearing scheduled for March 5, 2020 has been moved.

Discussion/ Approval to Refund Residue Stormwater Escrow for 14 Homestead Drive- Mr. Pflum stated that this is for a pole barn that has been completed. Mr. Potts stated that there is residual stormwater escrow of $258.47 and they have requested a refund of the remaining escrow. Mr. Thompson moved that the escrow be released, seconded by Mr. Tobias. YES: Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

STORMWATER MANAGEMENT

MS4 Stormwater Report – Mr. Potts stated that Steve Tricarico is volunteering in the Township and is locating and mapping the Township stormwater pipes.

ROADS

Mr. Potts informed the Board that the 2020 Road Project will be advertised in March and went over the roads in the project. Mr. Potts also stated that he spoke with a representative from PennDOT that informed him that Liquid Fuels Money could be used for the Palisade Bridge Project. Mr. Potts also informed the Board of an upcoming road resurfacing project starting May 1, 2020 with an approximate completion date of Aug 21, 2020 and that the project would include Main Street in Leesport from Route 61 to Grange Road in Bern Township and that there are no anticipated road closures.

Discussion/ Approval to Hire Part-Time Road Department Candidate- Mr. Potts informed the Board that a part time candidate for the road department, David Mersinger, has been chosen and that he recommends him for hiring. Mrs. Reed asked if he had his CDL. Mr. Potts stated yes. Mr. Eveland made a motion to approve hiring David Mersinger for the road crew; Mr. Thompson seconded. YES: Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Discussion/ Approval of Washington Road Easement Agreement- Mr. Potts stated that the farmer had asked that the manholes in the cornfield be 12 inches below the soil and that no one comes into access the area while crops are in place and if that happens he would like reimbursement for crop damage. Mr. Potts stated that these were added to the agreement. Mr. Potts also stated that the farmer expressed concerns over a wetland developing in the woods and that unfortunately there not much that can be done to prevent that since the pipe cannot lead to the river. Mr. Potts stated that he is applying for a Low Volume Dirt and Gravel Road Grant and that the Conservation District would pay for the materials through the grant and the Township would provide the labor and equipment. Mr. Potts stated that the deadline to apply for the grant is April 1st and that the easement is needed in order to finish the application submittal. Mr. Thompson made a motion to approve the Washington Road Easement Agreement; Mr. Eveland seconded. YES: Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

SEWER/WATER/BERN TOWNSHIP MUNICIPAL AUTHORITY

Mrs. Reed asked the public to please stop putting grease and trash down drains and toilets and asked if anyone has any ideas on how to get the word out to please let BTMA know. Ms. Radle suggested that maybe this could be taught in school.

SOLID WASTE ADVISORY COMMISSION

No report.

Discussion/ Approval of the Recycling Drop Off Center Three Year Extension Agreement with Berks County- Mr. Thompson made a motion to approve the Recycling Drop Off Center Three Year Extension Agreement with Berks County; Mr. Tobias seconded. YES: Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

ADMINISTRATION

Discussion/ Approval of Animal Rescue League Agreement- Mr. Potts informed the board that he spoke with the executive director of the ARL about the agreement. Mr. Potts was informed that aggressive dogs would be covered and qualify for pick up under the agreement and that the ARL would still come out to collect the animal in a true emergency situation if the police department contacted them, but otherwise residents should be instructed to transport stray dogs to the ARL themselves. Mr. Potts recommended approving the agreement with the conditions for $1.00 per Capita. Chief Waugh stated that the police department will not be responsible for transporting animals to the ARL. Mr. Tobias expressed concerns about the ARL's definition of vicious animal and Mrs. Reed asked who would be responsible for the determination of a vicious animal. Mr. Potts stated the police department would be responsible for the determination of a vicious animal and Chief Waugh agreed. Mr. Thompson made a motion to approve Animal Rescue League

Agreement; Mr. Eveland seconded. YES: Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Next Supervisor's meeting will be held on April 7, 2020 at 7:00 PM.

Sharon Henke, Bern Township resident, spoke about The Friends of the Epler's One Room School House Organization.

EXECUTIVE SESSION

Mrs. Reed temporarily adjourned the meeting at 8:30PM for an executive session to discuss a personnel matter. The meeting reconvened at 9:13PM.

ADJOURNMENT

Mr. Thompson made a motion to adjourn the meeting at 9:13 PM; Mr. Eveland seconded. YES: Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Respectfully submitted,

Diane DeJesus,
Secretary/Treasurer