

**TOWNSHIP OF BERN
BERKS COUNTY, PENNSYLVANIA**

March 7, 2023

SUPERVISORS MEETING

SUPERVISORS PRESENT: Irene Reed, Chairman
Dr. Boyd Wagner, Supervisor
Brian Eveland, Supervisor
Daniel Tobias, Supervisor
Jeffrey Thompson, Supervisor

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

CALL TO ORDER-PLEDGE OF ALLEGIANCE

Mrs. Reed called the meeting to order at 7:00 PM.

CONSENT AGENDA

Mr. Thompson moved to approve the Consent Agenda, as presented, which included the minutes of the February 7, 2023 Supervisors Meeting and to accept the finance report, subject to audit and approve payment of bills on the list, seconded by Dr. Wagner. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

FINANCE REPORT

Balances as of March 7, 2023: General Fund: \$1,949,126.69, State Account: \$809,034.47, PLGIT: \$68,732.24, Certificate of Deposits: \$560,654.82, Expenses: \$117,141.73. Treasurer's Report accepted subject to audit.

PUBLIC COMMENT

None.

ORDINANCES/ RESOLUTIONS

Discussion/ Approval to Advertise the Short Term Rental Registration Ordinance- Mr. Potts stated that the Short Term Rental Registration Ordinance sets the parameters of the short-term rental program. Mr. Thompson made a motion to approve advertising the Short Term

Rental Registration Ordinance; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Discussion/ Approval to Advertise the Short Term Rental District Ordinance- Mr. Potts stated that the Short Term Rental District Ordinance permits short term rentals in the Light Commercial, Limited Industrial and Highway Commercial Zoning Districts of Bern Township. Dr. Wagner made a motion to approve advertising the Short Term Rental District Ordinance; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

TOWNSHIP MANAGER

Mr. Potts provided his report to the Board and informed them that the newsletter has been mailed.

Mr. Potts also spoke about the BCPC and their push on municipalities to consider being favorable to residential development.

Mr. Potts, Atty. Dietrich and Mr. Pflum spoke about possible changes to the Township Solar Ordinance.

PUBLIC SAFETY & SERVICES

Fire Company

Mount Pleasant and Union provided their reports.

Greenfields- A report was received.

Emergency Medical Services

Northern Berks and Western Berks provided their reports.

Emergency Management

Mr. Hinkle provided his report to the Board.

Police Department

Chief Waugh provided his report to the Board.

Approval/ Discussion to Send Officer to Crash Reconstruction Seminar- Chief Waugh requested a motion to approve the annual Pennsylvania Collision Analysis and Reconstruction Society Seminar training for Officer Vincent Mazza on October 31, 2023 through November 2, 2023 at the Bayfront Convention center in Erie, PA with a cost of \$603.34 for registration, tuition, subsistence and lodging. Chief Waugh stated that the training is anticipated annually and budgeted for at line item 410.460. Mr. Thompson made a motion to approve sending Officer Vincent Mazza to the annual Crash Reconstruction Seminar; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

PLANNING/ZONING/CODE ENFORCEMENT

Engineer

Mr. Kent Morey provided the report to the Board.

Planning Commission

Discussion/ Approval of Provco Group Escrow Release for Traffic Light Improvements- Dr. Wagner made a motion to approve the Provco Group Escrow Release for the Traffic Light Improvements; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed.

Discussion/ Approval of Section 154-19.A Plan Scale Waiver for the Bern Township Preliminary Land Development Plan- Mr. Potts stated that the Planning Commission recommended approval of the waiver. Dr. Wagner made a motion to approve the Section 154-19.A Plan Scale Waiver for the Bern Township Preliminary Land Development Plan; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed.

Discussion/ Approval of Section 154-24.C(1) Street Widening Waiver for the Bern Township Preliminary Land Development Plan- Mr. Potts stated that the Planning Commission recommended approval of the waiver. Dr. Wagner made a motion to approve the Section 154-24.C(1) Street Widening Waiver for the Bern Township Preliminary Land Development Plan; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed.

Discussion to Review all old Escrow Accounts and Return Unused Funds- Mr. Potts informed the Board that Atty. Mooney recommended that old escrow accounts be reviewed and funds released to the developers. Atty. Mooney also recommended the Board approve the fund release of all old escrow accounts as one motion subject to a project being complete, a period of one-year has passed and all items are accounted for before releasing the funds. Atty. Dietrich stated that he has concerns about old accounts that still have large sums of money in them and that those accounts should be looked over to be sure nothing was missed. After Supervisor discussion Mr. Thompson made a motion to approve the review of old escrow accounts subject to a project being complete, a period of one-year has passed and all items are accounted for before releasing the funds with a ceiling of \$10,000; Mr. Eveland seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed.

Time Extensions

None required.

Code Enforcement

Mr. Pflum provided his report to the Board and gave a brief update on a Mill Road residence and a Notice of Violation that he sent out.

STORMWATER MANAGEMENT

MS4 Stormwater Report

Mr. Potts informed the Board that he met with Mr. Steve Tricarico to talk about his completed stormwater mapping project and the database he has created. Mr. Potts stated that the database is going to be an important tool for the road crew since the Township was granted access to the database and the map also makes the Township compliant with DEP. Mr. Kevin Hinkle asked some questions.

ROAD DEPARTMENT

Mr. Potts informed the Board about a notice received from PennDOT detailing specific roads in the Township that were selected at random for the placement of traffic count sensors to support overall federal highway traffic numbers in PA between March 1, 2023 and November 16, 2023. Mr. Potts stated the roads are Heather Lane, Ziegler Road, McCoy Lane, and Woodward Drive. Mr. Potts also briefly went over the road project specifications for bids. Officer Peter O'Brien asked about eroded curbing in Greenfields. Mr. Potts stated that the Township has the authority to make property owners repair curbs and sidewalks. Atty. Dietrich stated that the Greenfields Subdivision Plan should be reviewed for curbing.

SEWER/ WATER/ BERN TOWNSHIP MUNICIPAL AUTHORITY

No report.

SOLID WASTE ADVISORY COMMISSION

Mr. Potts stated that DEP is reviewing the grant submittal.

ADMINISTRATION

Ratification of Borrowing Request Letter to BTMA- Mr. Potts requested a motion to ratify a letter sent to BTMA asking them to consider loaning the Township \$800,000.00. Mr. Thompson made a motion to ratify the borrowing request letter sent to BTMA; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed.

Discussion of Bern Township Building Addition Project and Financing- Mr. Potts stated landscape screening is an issue because new construction is required to have landscape screening and he is concerned about pine trees growing over into the parking lot. Mrs. Reed inquired about a privacy fence. Chief Waugh voiced concerns over cover and concealment. Mr. Potts stated that an alternate landscaping plan has been drafted by Mr. Hoffert. Mr. Pflum stated that the Board could approve an alternate landscaping plan without trees for police officer safety.

Mr. Potts informed the Board that terms and rates were obtained from Riverfront Credit Union, Diamond Credit Union and Thompkins Bank. Mr. Potts went over the various costs and possible variables of financing that would cause tax increases. Mr. Potts requested a motion to approve borrowing the money for the building addition project from BTMA. Dr. Wagner made a motion to approve borrowing the money for the building addition project from BTMA; Mr. Thompson

seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson. ABSTAIN: Mrs. Reed. Motion carried.

Mr. Potts informed the Board about other upgrades the building needs and he requested a motion to approve \$39,000 in additional design fees. Mr. Thompson made a motion to approve the \$39,000 in additional design fees; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed.

EXECUTIVE SESSION

Mrs. Reed stated that an executive session to discuss personnel and litigation matters will be held after the meeting without a vote.

Next Supervisor's meeting will be held on Tuesday, April 4, 2023 at 7:00 PM.

Mr. Tobias made a motion to adjourn the meeting at 8:20 PM; Mr. Eveland seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Respectfully submitted,

Diane DeJesus,
Secretary/Treasurer