

**TOWNSHIP OF BERN
BERKS COUNTY, PENNSYLVANIA**

March 5, 2024

SUPERVISORS MEETING

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

STAFF PRESENT: Brian Potts, Township Manager
Diane DeJesus, Secretary/Treasurer
Brett Forry, 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 p.m.

CONSENT AGENDA

Mr. Thompson moved to approve the Consent Agenda, as presented, which included the minutes of the February 6, 2024, Supervisors Meeting, and to accept the finance report, subject to audit and approval of payment of bills on the list, seconded by Mr. Tobias. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

FINANCE REPORT

Balances as of March 5, 2024: General Fund: \$2,407,232.42, State Account: \$610,234.99, PLGIT: \$72,429.16, Certificate of Deposits: \$569,506.17, Expenses: \$78,908.23. Treasurer's Report accepted subject to audit.

PUBLIC COMMENT

Kathy Lavagna spoke about the property at 1400 Cross Keys Road and presented a drawing from her civil engineer of the parking area and exit. Mr. Potts expressed his concerns and said based on the drawings that Ms. Lavagna presented there are several other variances that would be needed such as parking spaces and driveways need to be paved, setbacks of parking spaces from property lines and road right-of-way setbacks to parking spaces. Mr. Potts also expressed concerns over stormwater issues, septic system capacities and safe traffic access. Dr. Wagner

agreed with Mr. Potts and stated that the Rural Residential Zoning District is not the place for this type of business to be located in. Ms. Lavagna pointed out other commercial and semi-commercial uses nearby. Dr. Wagner said that these businesses do not have a similar type of traffic entering and exiting their facilities as Ms. Lavagna's proposal and to give a conditional variance use prior to solving other issues is a mistake. Atty. Dietrich reiterated his earlier statement from last month's meeting that use variances are the hardest to obtain. Dr. Wagner made a motion to send the Township Solicitor to the Zoning Hearing. Ms. Reed stated that since the decision to send the solicitor is not until later on the agenda that a second and the vote take place then in case someone was running late for the meeting.

TOWNSHIP MANAGER

Mr. Potts provided his report to the Board and informed them that there are issues with Frontier Phone Company and the installation of phones and lines. Frontier no longer sells or services the current phones and the new phones would have to be VOIP structured. Mr. Potts will set up a meeting with the Township IT vendor to discuss options.

Mr. Potts also provided an update on newsletter issues on the changes per USPS and address labels. He said that although the newsletter is ready, mailing will be slightly delayed due to the changes.

Mr. Potts informed the Board that Lords and Ladies would like the Township to allow their land development plans to be recorded and a building permit to be obtained in advance of paying their Municipal Improvement Escrow and the \$22,130.00 Traffic Impact Fee. Mr. Potts does not recommend this.

Building Project Update/Changes- Mr. Potts stated that the boiler room work begins March 11, 2024, and removal of the oil tank begins March 18, 2024. Mr. Potts also informed the Board that an office has been added for the road foreman position and additional lockers have been provided for the police locker room in anticipation of hiring future police officers. Mr. Potts would also like to have a structural analysis of the upstairs floor due to concerns about the amount of weight on the floor with the addition of items housed there temporarily because of the construction project. Additionally, Mr. Potts said that the last three phases of the construction project will be combined into one phase.

PUBLIC SAFETY & SERVICES

Fire Company

Reports were received from Greenfields Fire Co. and from Mount Pleasant Fire Co. Mr. Dylan Heckman from Greenfields Fire Co. also provided a verbal report to the Board.

Swearing In of Fire Policeman Dalton Noll- Ms. Reed swore in Dalton Noll as fire policeman.

Emergency Medical Services

Reports were not received from any of the emergency medical service providers.

Emergency Management

Mr. Hinkle provided his report to the Board. Mr. Hinkle will attend a meeting with Western Berks on behalf of the Township.

Police Department

Chief Forry provided his report to the Board.

PLANNING/ZONING/CODE ENFORCEMENT

Engineer

Mr. Kent Morey provided his report to the Board.

Planning Commission

Discussion/Approval to Waive Land Development for Malsnee Tile Building Relocation- Mr. Gregg Eshbach from Malsnee Tile explained that he is requesting a waiver from land development for a building that will not allow for clear sight at Stinson Drive and the new roadway once it is constructed. He stated that he would like to relocate the building to an area that is already impervious and that the building will remain approximately the same size. Ms. Reed asked if the old impervious area would become grass and Mr. Eshbach said yes. Mr. Thompson asked if the Planning Commission recommended the waiver. Mr. Potts said yes. Mr. Thompson stated he was concerned with “approximately” regarding the size of the building. Mr. Eshbach said that all building permits will be obtained. Mr. Thompson made a motion to waive land development for the Malsnee Tile building relocation; Mr. Eveland seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Discussion/Approval of Stinson LLC 2 Lot Final Subdivision Plan- Mr. Potts stated that the Planning Commission recommended approval of the Stinson Drive LLC 2 Lot Final Plan subject to the February 9, 2024, SSM review letter. Mr. Thompson made a motion to approve the Stinson Drive LLC 2 Lot Final Subdivision Plan subject to the February 9, 2024, SSM review letter; Mr. Tobias seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Discussion/Approval of Grandview Estates Revision to Final Plan of Record- Mr. Potts stated that the Planning Commission recommended approval of the Grandview Estates Revision to Final Plan for Record subject to the February 9, 2024 SSM review letter and removal of the wildlife preserve and recreational trail completely from the plan as they are currently still depicted in the legend. Ms. Worley from 1231 West Leesport Road asked questions and provided some input pertaining to the plan. Mr. Thompson made a motion to approve the Grandview Estates Revision to Final Plan of Record subject to the complete removal of the wildlife preserve and recreational trail from the plan and conditioned upon the February 9, 2024, SSM review letter; Mr. Tobias seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Discussion/Approval of SunCap Revision to Landscaping Final Plan of Record- Mr. Potts informed the Board that some of the landscape screening could not be planted because Met-Ed placed poles in the locations and the plants have been moved to other areas on the property. Mr. Potts said that the Planning Commission recommended approval of the plan subject to the February 9, 2024, SSM review letter. Mr. Thompson made a motion to approve the SunCap Revision to Landscaping Final Plan of Record; Mr. Tobias seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Discussion/Approval of Third Addendum to BCIDA Development- Mr. Potts stated that the addendum is necessary because land development plans are only effective for five years after approval and BCIDA is not able to develop their property within the five-year period. Mr. Potts stated that Phase H is scheduled for completion December 31, 2024, and Phases A, G and F are scheduled for completion by December 31, 2026. Mr. Thompson made a motion to approve the Third Addendum to the BCIDA Development; Mr. Tobias seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Discussion/Approval of 363 McCoy Lane Stormwater Agreement- Mr. Potts stated that this agreement is to revise a stormwater facility installed in 1992. Mr. Thompson made a motion to approve the 363 McCoy Lane Stormwater Agreement; Mr. Tobias seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Discussion/Approval of Penske District Services Facility (Hartman Farm) Municipal Improvements Agreement- Mr. Potts said that the agreement is not ready yet because some information is needed from Penske.

Time Extensions

None.

Code Enforcement

Mr. Pflum submitted his report to the Board.

STORMWATER MANAGEMENT

MS4 Stormwater Report

No report.

ROAD DEPARTMENT

Discussion/Approval of Price Adjustment Resolution for 2024 Road Contract- Mr. Potts explained that the 2024 Road Contract is below the threshold for price escalation per PennDOT standards making it necessary to have the Adjustment Resolution. Mr. Thompson made a motion to approve the Adjustment Resolution for the 2024 Road Contract; Mr. Eveland seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

SEWER/ WATER/ BERN TOWNSHIP MUNICIPAL AUTHORITY

Mrs. Reed stated there was nothing to report.

SOLID WASTE ADVISORY COMMISSION

Mr. Thompson stated there was nothing to report.

Mr. Potts provided an update on A.J. Blosenski. The recycling hauler has greatly improved since meeting with the Township.

ADMINISTRATION

Discussion/Approval to Send Solicitor to Zoning Hearing- Dr. Wagner previously made a motion to send the Solicitor to the Zoning Hearing; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Discussion/Approval of Agreement with Western Berks Fire Department- Mr. Potts said that this is an agreement with Western Berks to have them consult about Greenfields Fire Company. Mr. Thompson made a motion to approve the agreement with Western Berks Fire Company; Mr. Tobias seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Next Meeting: Tuesday, April 2, 2024, at 7:00 p.m.

EXECUTIVE SESSION

Mrs. Reed stated that an executive session was not necessary.

ADJOURNMENT

Mrs. Reed adjourned the meeting at 7:55 p.m.

Respectfully submitted,

Diane DeJesus
Secretary/ Treasurer

