

**TOWNSHIP OF BERN  
BERKS COUNTY, PENNSYLVANIA**

April 5, 2022

**SUPERVISORS MEETING**

**SUPERVISORS PRESENT:** Irene Reed, Chairman  
Dr. Boyd Wagner  
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, 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 March 1, 2022 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 April 5, 2022: General Fund: \$1,868,479.91, State Account: \$506, 504.27, PLGIT: \$67,064.75, Certificate of Deposits: \$557,414.64, Expenses: \$133,238.55. Treasurer's Report accepted subject to audit.

**PUBLIC COMMENT**

None.

## **PUBLIC HEARING**

Mrs. Reed opened the public hearing at 7:01 PM to discuss the Town Center Overlay District Amendment Ordinance. Atty. Dietrich stated for the record public notice of the ordinance was published in the Reading Eagle newspaper on March 17 and 24, 2022 and the Township received proof of publication. Atty. Dietrich also stated that copies of the proposed ordinance had been submitted to the BTPC and the BCPC on February 3, 2022 and response was received from the BCPC on February 18, 2022 stating no comment. Mrs. Reed asked for public comments or questions and there weren't any. Mrs. Reed adjourned the public hearing at 7:02 PM and reconvened the Supervisors Meeting.

## **ORDINANCES/ RESOLUTIONS**

**Discussion/ Approval of the Town Center Overlay District Amendment Ordinance-** Dr. Wagner made a motion to approve the Town Center Overlay District Amendment Ordinance; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Thompson and Mrs. Reed. NO: Mr. Tobias. Motion carried.

## **TOWNSHIP MANAGER**

Mr. Potts provided his report to the Board and introduced Mr. Ramich from Leinbach #190 boy scout troop. Mr. Ramich thanked the Township for allowing the troop to use the Meeting Room for their meeting location.

## **PUBLIC SAFETY & SERVICES**

### **Fire Company**

Mt. Pleasant provided their report.

### **Emergency Medical Services**

Northern Berks provided their report.

### **Emergency Management**

Mr. Hinkle provided his report to the Board.

### **Police Department**

Chief Waugh provided his report to the Board.

**Discussion/ Approval to Assign Fire Police to World War II Weekend-** Chief Waugh requested a motion to approve assigning Fire Police to World War II Weekend June 3, 4, & 5, 2022. Dr. Wagner made a motion to assign Fire Police for the WWII Weekend; Mr. Eveland seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval to Accept Philadelphia Foundation Grant-** Chief Waugh requested a motion to accept the Philadelphia Foundation Grant, which would grant \$122,461 towards replacing the special services unit and to recognize Sgt. Det. Brett Forry, Sgt. Steve Seidel, Officer

Vince Mazza, Officer Christian Lengel and Officer Peter O'Brien for their efforts in obtaining the grant. Mr. Potts stated that the total price of a new unit is \$136,465.04 which is \$8,004.04 short after utilizing the grant money and that because it is anticipated the old unit will be sold for approximately \$5,000 to \$7,000 and ARP funds will be used to cover the difference until that happens. Mr. Thompson made a motion to accept the Philadelphia Foundation Grant and to sell the old special services unit; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion of National Night Out August 2, 2022 & Establishment of Separate Account to Receive Monetary Donations for Event-** Sgt. Steve Seidel informed the Board that National Night Out will be held on August 2, 2022 from 6:00 PM to 9:00 PM and briefed them on what is in place so far. Sgt. Seidel also stated that \$301 in donations have been received so far and Diane Dejesus has been asked to set a separate account. Chief Waugh asked the Board to support the project, for the ability to establish the account and accept contributions and the authority to include acceptable oversight and audit practices that need to be established. Mr. Thompson made a motion to approve supporting the NNO and the establishment of a bank account for donations; 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 his report to the Board.

### **Planning Commission**

**Discussion/Approval of Section 154-30.I(2)(b) Utilities Impact Study Waiver for Penske Preliminary Land Development Plan-** Mr. Potts stated that the Planning Commission recommended granting the waiver subject to Penske submitting to the Township an electrical study performed by Met-Ed in 2019 and a new study performed on the electrical load management needs for this area. Dr. Wagner made a motion to approve the waiver conditioned on the SSM recommendation of the note being added to the plan; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/Approval of Section 154-30.I(2)(d) Fiscal Impact Analysis Waiver for Penske Preliminary Land Development Plan-** Mr. Potts stated that the Planning Commission recommended approving the waiver without conditions. Dr. Wagner made a motion to approve the Section 154-30.I(2)(d) Fiscal Impact Analysis Waiver for Penske Preliminary Land Development Plan; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Thompson and Mrs. Reed. NO: Mr. Tobias. Motion carried.

**Discussion/Approval of Section 154-30.I(2)(f) Hydrogeological Impact Waiver for Penske Preliminary Land Development Plan-** Mr. Potts stated that the Planning Commission recommended approving the waiver without conditions. Dr. Wagner made a motion to approve Section 154-30.I(2)(f) Hydrogeological Impact Waiver for Penske Preliminary Land Development Plan; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Thompson and Mrs. Reed. NO: Mr. Tobias. Motion carried.

**Discussion/ Approval of Land Development Waiver for Berks County Recreation Center Pavilion-**Mr. Potts informed the Board that the County is requesting a waiver from land development for the construction of a pavilion over an area that is already impervious due to artificial turf. Mr. Potts stated that the Planning Commission recommended the waiver. A representative from Great Valley Consultants stated that it will be a reduction in impervious surface. Dr. Wagner made a motion to approve waiving land development for the Berks County Recreation Center Pavilion; Mr. Tobias seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval of Second Addendum to Exhibit “A” for the BCIDA Memorandum of Understanding Agreement-** Mr. Potts stated that this addendum amends the phasing schedule to reflect what has already taken place on the site. Mr. Thompson made a motion to approve the Second Addendum to Exhibit “A” for the BCIDA Memorandum of Understanding Agreement; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval to Release Remaining Escrow Residue for Wentzel-Schaeffer Subdivision Plan-** Mr. Potts stated that the residue is \$ 890.35 and recommended approval contingent on verification that all engineering and attorney bills have been paid. Dr. Wagner made a motion to approve refunding the remaining escrow funds for the Wentzel-Schaeffer Subdivision Plan contingent that all bills have been paid; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval of Jamison Stormwater Agreement-** Mr. Potts recommended approval of the agreement contingent on the SSM March 31, 2022 review letter. Dr. Wagner made a motion to approve the Jamison Stormwater Agreement contingent on the SSM March 31, 2022 review letter; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

#### **Time Extensions**

None

#### **Code Enforcement**

Mr. Pflum provided his report to the Board.

### **STORMWATER MANAGEMENT**

#### **MS4 Stormwater Report**

**Resident discussion-** Mr. Evan Jack asked the Supervisors to amend the Bern Township Stormwater Ordinance while the 5-year review is taking place and to revise permit paperwork to include a statement that impervious ground construction is aggregate on a resident’s property as well as commercial property. Mr. Jack also requested that the square footage requirements for small project threshold be increased to 2500 square feet to allow residents to make improvements to their property. Mr. Thompson made a motion to approve the formation of a committee to review

the Stormwater Ordinance to see if amendments should be made, Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

### **ROAD DEPARTMENT**

Mr. Potts provided his report to the Board.

**Discussion/ Approval of Supplemental Appropriations Resolution-** Mr. Potts stated that this is the resolution to use ARP Funds to purchase a new loader. Mr. Thompson made a motion to approve the Supplemental Appropriations Resolution; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval to Purchase Case Loader with Fork Attachment-** Mr. Potts stated this is to authorize chairperson to sign the quotation to buy the unit. Mr. Thompson made a motion to approve purchasing a Case Loader with Fork Attachment; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval to Release Road Department Employee from Probation-** Mr. Potts recommended the Board approve releasing Joseph Moyer from probation. Mr. Thompson made a motion to approve releasing Joseph Moyer; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval to Sell 2000 CAT Wheel Loader-** Mr. Potts asked for a motion to approve selling the old loader. Mr. Thompson made a motion to approve selling the 2000 CAT Wheel Loader once the new loader has arrived and it is verified to work; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

### **SEWER/ WATER/ BERN TOWNSHIP MUNICIPAL AUTHORITY**

No report.

**Discussion/ Approval of Ontelaunee Grange Holding Tank Installation and Maintenance Agreement-** Mr. Potts stated that Berks Envirotech drafted the agreement and Atty. Mooney has reviewed it and it is ready for consideration. Dr. Wagner made a motion to approve the Supplemental Appropriations Resolution; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

### **SOLID WASTE ADVISORY COMMISSION**

No report, but the members will be meeting on April 18, 2022 to discuss the request for proposal.

### **ADMINISTRATION**

**Discussion/ Approval to Release Municipal Building Request for Proposal of Architectural Service-** Mr. Potts requested to gather prices to provide a locker room and shower for the Police Department. Mr. Thompson made a motion to approve to release Municipal Building Request for Proposal of Architectural Service; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval to Ratify Support of Schuylkill Greenway Association Seeking Grant Funds from County of Berks-** Mr. Potts requested a motion to ratify a letter of support from the Township supporting the Schuylkill Greenway Association grant application to the County. Dr. Wagner made a motion to ratify the letter supporting the Schuylkill Greenway Association in the grant request; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval to Ratify Support of Run4Sam Seeking Grant Funds from County of Berks-** Mr. Potts requested a motion to ratify a letter of support from the Township supporting the Run4Sam grant application to the County. Mr. Thompson made a motion to ratify the letter supporting the Run4Sam in the grant request; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval to Ratify Support of Mid Atlantic Air Museum Seeking Grant Funds from County of Berks-** Mr. Potts requested a motion to ratify a letter of support from the Township supporting the Mid Atlantic Air Museum grant application to the County. Mr. Thompson made a motion to ratify the letter supporting the Mid Atlantic Air Museum in the grant request; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval of Tax Refund to Big Spring Car Wash-** Mr. Potts informed the Board that he discussed this with Atty. Mooney and neither of them can determine that closing taxes were paid and Atty. Dietrich stated that Big Spring Car Wash should have the Township Tax Collector Jami Jamison provide evidence that taxes were paid twice.

**Next Supervisor's meeting will be held on Tuesday, May 3, 2022 at 7:00 PM.**

Mr. Morey asked for confirmation of who will be on the Stormwater Committee and it was determined the committee will consist of Mr. Potts, Dr. Wagner, Mr. Morey and Mr. Jack.

### **EXECUTIVE SESSION**

An executive session was held to discuss a personnel matter without a vote.

### **ADJOURNMENT**

Mr. Thompson made a motion to adjourn the meeting; Dr. Wagner seconded.

Respectfully submitted,

Diane DeJesus,  
Secretary/Treasurer