

**TOWNSHIP OF BERN
BERKS COUNTY, PENNSYLVANIA**

June 7, 2022

SUPERVISORS MEETING

SUPERVISORS PRESENT: Irene Reed, Chairman
Dr. Boyd Wagner
Brian Eveland, 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.

PUBLIC COMMENT

Atty. Sterns representing Skinner Real Estate and Mr. Dane Miller spoke about their upcoming Conditional Use Hearing and a proposed Garage Strength training facility near the G & T location.

CONSENT AGENDA

Dr. Wagner moved to approve the Consent Agenda, as presented, which included the minutes of the May 3, 2022 Supervisors Meeting and to accept the finance report, subject to audit and approve payment of bills on the list, seconded by Mr. Tobias. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

FINANCE REPORT

Balances as of June 7, 2022: General Fund: \$2,919,040.07, State Account: \$506, 592.07, PLGIT: \$78,032.46, Certificate of Deposits: \$557,414.64, Expenses: \$118,518.52. Treasurer's Report accepted subject to audit.

ORDINANCES/ RESOLUTIONS

Discussion/ Approval of the Solid Waste Amendment Ordinance- Dr. Wagner made a motion to approve the Solid Waste Amendment Ordinance allowing the start time for collectors to be 5:00 AM; Mr. Eveland seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

Discussion/ Approval to Advertise the Solar Electric Energy System Amendment Ordinance- Mr. Pflum explained that the 50% roof restriction is no longer necessary because the 2018 Uniform Construction Code includes restrictions. Dr. Wagner made a motion to approve advertising the Solar Electric Energy System Amendment Ordinance; Mr. Tobias seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

Discussion/ Approval to Advertise the North Tulpehocken Road Yield Sign Ordinance- Mr. Potts explained that currently there is no signage regulating traffic control and the yield sign will cause N. Tulpehocken Road traffic to yield to Jeffrey Road traffic because Jeffrey Road is the through street. Dr. Wagner made a motion to approve advertising the North Tulpehocken Road Yield Sign Ordinance; Mr. Tobias seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

Discussion/ Approval of the Meadow View Drive Re-Naming Resolution- Mr. Potts stated that the resolution is needed because even though the street is actually Meadow View Road the Post Office and County have it listed as Meadow View Drive and that Atty. Mooney recommended conforming to the County and Post office. Mr. Tobias made a motion to approve the Meadow View Drive Re-Naming Resolution; Mr. Eveland seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

TOWNSHIP MANAGER

Mr. Potts provided his report to the Board and informed them that Paul Jansen should release the fire study in late June and that the Cohen Law Group is checking into the Comcast Agreement.

PUBLIC SAFETY & SERVICES

Fire Company

Greenfield's provided their report.

Emergency Medical Services

Western 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 Hire a Police Officer- An executive session will be held after the meeting to discuss the decision to hire a police officer and a decision will be rendered after the executive session.

Discussion/ Approval to Assign Fire Police to the Bern Township Police National Night Out on August 2, 2022- Chief Waugh requested a motion to approve assigning Fire Police to the Bern Township Police National Night Out on August 2, 2022. Mr. Tobias made a motion to assign Fire Police to the Bern Township National Night Out; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

Discussion/ Approval to Compensate Resigned Employee for Court Appearance- Chief Waugh stated that resigned police officer Andrew Condon has an upcoming court appearance and requested approval to compensate Officer Condon at the straight time rate that was in effect at the time of his separation from the department and to compensate at that same rate for travel versus paying mileage because the department currently pays department members travel time for off-duty court appearances in accordance with Police Contract Article 7. Mr. Eveland made a motion to compensate Officer Condon at the straight time rate that was in effect at the time of his separation from the department and to compensate at that same rate for travel; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

PLANNING/ZONING/CODE ENFORCEMENT

Engineer

Mr. Kent Morey provided his report to the Board.

Planning Commission

Discussion/Approval of the Reitnouer Final Subdivision Plan- Mr. Potts stated that the Planning Commission recommended approval of the plan subject to the May 5, 2022 SSM review letter. Dr. Wagner made a motion to approve the Reitnouer Final Subdivision Plan subject to May 5, 2022 SSM review letter; Mr. Eveland seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

Discussion/ Approval of the Daisley Stormwater Agreement- Mr. Potts stated that Atty. Mooney prepared the agreement and Mr. Morey recommended approval of the agreement contingent on the SSM June 2, 2022 review letter. Dr. Wagner made a motion to approve the Daisley Stormwater Agreement contingent on the SSM June 2, 2022 review letter; Mr. Tobias seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

Discussion/ Approval of the Wartluft Stormwater Agreement- Mr. Potts stated that Atty. Mooney prepared the agreement and Mr. Morey recommended approval of the agreement contingent on the SSM June 2, 2022 review letter. Dr. Wagner made a motion to approve the Wartluft Stormwater Agreement contingent on the SSM June 2, 2022 review letter; Mr. Tobias seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

Discussion/ Approval of the Hinze Stormwater Agreement- Mr. Potts stated that Atty. Mooney prepared the agreement and Mr. Morey recommended approval of the agreement contingent on

the SSM June 2, 2022 review letter. Dr. Wagner made a motion to approve the Hinze Stormwater Agreement contingent on the SSM June 2, 2022 review letter; Mr. Tobias seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

Discussion/ Approval of the Berks Park Building H Conditional Use Application- Atty. Dietrich stated that the proposed warehouse is a permitted use and that the Board finds the Applicant has met the conditional use requirements to increase the building height to an average of forty-five feet and that the Board imposed the following conditions and the Applicant agreed to the said conditions as follows:

1. The building shall be in compliance with all FAA requirements;
2. No exterior lighting or audible devices secured to the building shall be installed at a height greater than thirty-five feet except for lighting required by the FAA during its review process;
3. All truck traffic shall exit the property in a southward direction on Aviation Road to proceed to Route 183;
4. All accessory structures located upon the site, such as light poles and other similar installations shall not exceed thirty-five feet;
5. There shall be no appurtenant fixtures attached to the building, such as antennas, chimneys, HVAC equipment or other equipment, on the roof that is higher than the relief height requested in the conditional use application;
6. The building be sprinklered.

Dr. Wagner made a motion to approve the Berks Park Building H Conditional Use Application; Mr. Tobias seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

Time Extensions

None required.

Code Enforcement

Mr. Pflum provided his report to the Board. Mr. Pflum also informed the Board about an incident at 117 Marina Lane involving birds and dogs on the site and the ARL handled the situation. Mr. Pflum also stated that Officer Mazza noticed two unregistered vehicles on the Riveredge Parking lot and a Notice of Violation has been issued. Mr. Potts and Mr. Pflum updated the Board about the light complaint situation at the County sports fields.

STORMWATER MANAGEMENT

MS4 Stormwater Report

ROAD DEPARTMENT

Discussion/ Approval to Accept Bids for Loader- Mr. Potts informed the Board that the winning bid on Municibid for the loader was \$45,600 from Michael Buhler. Mr. Tobias made a motion to accept the winning bid; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

Discussion/ Approval of Weed Spraying Quotation- Mr. Potts requested a motion to approve the weed spraying quotation from Showcase Lawn for \$3,768.00 which includes two men for 1.5 days to do the spraying. Mr. Tobias made a motion to approve the weed spraying quotation; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

SEWER/ WATER/ BERN TOWNSHIP MUNICIPAL AUTHORITY

No report.

SOLID WASTE ADVISORY COMMISSION

Discussion/ Approval to Advertise Request for Proposal for Recycling and Refuse Collection and Marketing/ Processing of Recyclables- Mr. Potts recommended approval to advertise conditioned on Atty. Mooney's approval of the final draft. Dr. Wagner made a motion to approve advertising the Request for Proposal for Recycling and Refuse Collection and Marketing/ Processing of Recyclables conditioned on Atty. Mooney's approval of the final draft; Mr. Eveland seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

Discussion/ Approval to Sell Fuel to the Berks County Solid Waste Authority- Mr. Potts explained a request from the Berks County Solid Waste Authority for the road crew to provide diesel fuel for their new skid steer. Mr. Potts stated that the Berks County Solid Waste Authority would pay the cost of the fuel and asked for approval to come up with a dollar amount for labor costs which would be based on hourly rate plus benefit cost associated with their position. Mr. Eveland made a motion to approve selling fuel to the Berks County Solid Waste Authority; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

ADMINISTRATION

Discussion/ Approval to Ratify CD Re-Investment- Mr. Potts requested a motion to ratify the CD Re-Investment at .2% from VIST Bank for a term of 6-12 months. Dr. Wagner made a motion to approve ratifying the CD Re-Investment; Mr. Eveland seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

Discussion/ Approval to Approve Architectural Proposal for Building Addition- Mr. Potts stated that there is a resolution prepared for the Board to sign in connection with the proposal. Mr. Potts also explained that two bids were received and the building committee unanimously agreed on the AEM architectural proposal. Mr. Potts stated that ARP funds will be used to pay the \$106,250.00 quotation plus the \$2,500.00 budgeted for reimbursable expenses. Dr. Wagner made a motion to approve the AEM Architectural Proposal for the Building Addition; Mr. Eveland seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

Discussion/ Approval Redmond Real Estate Tax Refund- Mr. Potts informed the Board that the County said that the residents are entitled to a refund in the amount of \$47.59 from 2021 and \$95.75 from 2022 because a building was removed from the property, but the assessments didn't reflect it. Dr. Wagner made a motion to approve the Redmond Real Estate Tax Refund, Mr. Eveland seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

Discussion/ Approval Eberly Real Estate Tax Refund- Mr. Potts informed the Board that the County said that the residents are entitled to a refund in the amount of \$450.53 because the land was subdivided and the two homes are now on separate parcels. Dr. Wagner made a motion to approve the Eberly Real Estate Tax Refund, Mr. Tobias seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

Discussion/ Approval Maack, LLC Real Estate Tax Refund- Mr. Potts informed the Board that the County said that US Anodize is entitled to a refund in the amount of \$7.80 because BCIDA took some of their land away. Mr. Eveland made a motion to approve the Maack, LLC Real Estate Tax Refund, Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

Next Supervisor's meeting will be held on Tuesday, July 5, 2022 at 7:00 PM.

EXECUTIVE SESSION

Mrs. Reed temporarily adjourned the meeting at 7:59 PM to hold an executive session and reconvened the meeting at 8:15 PM.

Dr. Wagner made a motion to hire Brett Boyer as Patrolman Third Class with a 12-month probation period with a start date to be coordinated with the Township Manager and ratified at next month's meeting subject to completing the remaining testing and reviews; Mr. Eveland seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias and Mrs. Reed. Motion carried.

Mrs. Reed temporarily adjourned the meeting again at 8:16 PM for another Executive Session after which no action took place and adjourned the meeting officially at 8:31 PM.

Respectfully submitted,

Diane DeJesus,
Secretary/Treasurer

