

**TOWNSHIP OF BERN
BERKS COUNTY, PENNSYLVANIA**

September 5, 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
Brett Forry, Chief of Police
Timothy Dietrich, Esquire
Kent Morey, Engineer

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 August 1, 2023 Supervisors Meeting, and to accept the finance report, subject to audit and approve payment of bills on the list, seconded by Mr. Tobias. YES: Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

FINANCE REPORT

Balances as of September 5, 2023: General Fund: \$2,840,932.17, State Account: \$294,478.93, PLGIT: \$70,454.46, Certificate of Deposits: \$568,756.38, Expenses: \$76,224.58. Treasurer's Report accepted subject to audit.

PUBLIC COMMENT

Rachel Eskin and Damayanthire Elawawalcye who reside on Riverside Drive in Ontelaunee Township came to express their concerns over the loud noise/music resulting from people who are utilizing the area under the Cross Keys Bridge to gather and party. Other concerns expressed pertained to trash, litter, safety, parking, fireworks, and fires.

Burkey Development Group representatives were present to see how the Supervisors would feel about a possible convenience store or extended-stay hotel being located near the future site of the Lords and Ladies Salon at Bernville Road and MacArthur Road. These uses would require a variance. The Supervisors and Mr. Potts expressed concerns over traffic issues resulting from a convenience store at that location and feel a hotel might be a better fit.

Stephanie Jacobs and Marissa Loeb from the Schuylkill Valley Community Library thanked the Supervisors for their Support and provided an update on the highlights and happenings at the library.

TOWNSHIP MANAGER

Mr. Potts provided his report to the Board and stated that the newsletter was ready to be taken to the post office. He also stated the loan has been approved by DCED.

PUBLIC SAFETY & SERVICES

Fire Company

Mount Pleasant and Greenfields provided their reports.

Emergency Medical Services

Western Berks provided their report.

Emergency Management

Mr. Hinkle provided his report to the Board. He highlighted one run card revision that does not impact the Township.

Discussion/ Approval to Purchase a Storage Cabinet for the EMC Vehicle- Mr. Hinkle stated that Fleetwood Fire Company has a storage cabinet that will fit the EMC SUV for \$1,200.00 and requested a motion to approve the purchase of the cabinet. Mr. Potts stated there is room in the Emergency Management budget for the purchase. Dr. Wagner made a motion to approve the purchase of the cabinet; Mr. Tobias seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Police Department

Chief Forry provided his report to the Board.

Recognize Joshua Santos Promotion to Detective- Chief Forry recognized Detective Joshua Santos for his hard work and presented him with a Certificate of Promotion to the Rank of Detective. Detective Santos expressed his gratitude to the Supervisors for their support.

Discussion/ Approval to Dispose of Eight (8) Computer Stations- Chief Forry requested a motion to approve the disposal of eight (8) computer stations. The hard drives will be wiped and the shells will be taken to the recycling center. Mr. Thompson made a motion to approve the disposal of the eight (8) computer stations; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Discussion/ Approval to Dispose of Six (6) Mobile Laptops- Chief Forry requested a motion to approve the disposal of six (6) mobile laptops. The hard drives will be wiped and the shells will be taken to the recycling center. Mr. Thompson made a motion to approve the disposal of the six (6) mobile laptops; Mr. Eveland seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Discussion/ Approval to Order Leftover 2023 Police Vehicle and Transfer \$60,000 from General Fund to Police Escrow Fund- Chief Forry requested a motion to approve transferring \$60,000.00 from the General Fund to the Police Escrow Fund to purchase a leftover 2023 Dodge Durango for the police department due to a potential car manufacturer strike. Mr. Potts recommended the transfer. Dr. Wagner made a motion to approve the \$60,000.00 transfer to purchase the 2023 Dodge Durango; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Discussion/ Approval to Amend Police Hiring and Separation Policy- Chief Forry requested a motion to approve an amendment to the Police Hiring and Separation Policy. This amendment has been reviewed by Atty. Mooney. Mr. Thompson made a motion to approve the amendment; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Discussion of Police Hiring Panel and Interview Dates- Chief Forry requested a volunteer from the Board to sit on the hiring panel on September 6, 2023. Mr. Eveland volunteered.

Discussion/ Approval of Field Training Officer Training- Chief Forry requested a motion to approve sending Officer Edwin Noll to Field Training Officer (FTO) Training through the Penn State University Justice and Safety Institute from October 16 through October 18, 2023, via Zoom. The cost is \$549.00. There will not be a lodging fee because it is virtual training. Chief Forry stated funding for the training is allocated in the Training Budget. Dr. Wagner made a motion to approve the FTO Training; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Discussion of Cross Keys Road/ Schuylkill River Issues- Chief Forry started by addressing any safety concerns and advised the individuals from Ontelaunee Township to contact the Northern Berks Police Department with safety issues. Chief Forry informed the Board that he personally visited the problem location twice on a Sunday and did not find any issues with the people gathered there. He advised the people to change the direction of their speakers so the sound would not be facing the homes along Riverside Drive and also educated them about Township Ordinances and proper disposal of trash and recyclables. Chief Forry detailed the research he has conducted on how to approach the issue. Unfortunately, Bern Township lacks the police department manpower needed to enforce No Trespassing signs, which would mean enforcement for kayakers, fishing, etc. Mrs. Reed is concerned about the possibility of a forest fire due to cooking and recreational fires. The people who live on Riverside Drive asked about the Nuisance Ordinance and if it pertains to this situation. Atty. Dietrich stated when it comes down to noise complaints it is very difficult to prove in situations like this. Mr. Eveland stated it will be hard to get a person to admit they are the individual playing the loud music in order to hold someone responsible. Chief Forry went over his immediate plans for approaching the situation. He spoke with PennDOT, who will post the bridge with No Parking signs and BTPD will enforce the signs. He and the rest of the department will continue to educate the public at the

location on noise, fire safety, and trash/ recyclables disposal. Chief Forry is also intending to meet with the Chiefs from Northern Berks and Muhlenberg Police Departments to discuss the issues and formulate a plan.

PLANNING/ZONING/CODE ENFORCEMENT

Engineer

Mr. Kent Morey provided his report to the Board.

Planning Commission

Discussion/ Approval of the S&L Mechanical Final Land Development Plan- Mr. Potts stated the Planning Commission recommended approval of the plan subject to the August 4, 2023 SSM review letter. Dr. Wagner made a motion to approve the S&L Mechanical Final Land Development Plan subject to the August 4, 2023, SSM review letter; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Discussion/ Approval of the SunCap Escrow Release- Mr. Potts stated Mr. Morey's analysis recommends \$19,640.00 be released leaving a balance of \$648,797.00. Dr. Wagner made a motion to approve the SunCap Escrow Release; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Discussion/ Approval of the S&L Mechanical Municipal Improvement Agreement- Mr. Potts stated Atty. Mooney has prepared the S&L Mechanical Municipal Improvement Agreement. Dr. Wagner made a motion to approve the S&L Mechanical Municipal Improvement Agreement; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Discussion/ Approval of the S&L Mechanical Stormwater Agreement- Mr. Potts stated that Atty. Mooney has prepared the S&L Mechanical Stormwater Agreement. Dr. Wagner made a motion to approve the S&L Mechanical Stormwater Agreement; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Time Extensions

None.

Code Enforcement

Mr. Pflum submitted his report to the Board but was not in attendance.

STORMWATER MANAGEMENT

MS4 Stormwater Report

Mr. Potts stated both easements for Mayo Drive have been signed and returned.

ROAD DEPARTMENT

Mr. Potts stated the road crew did a good job on Penn-Bern Road.

Discussion/ Approval to Sell 1981 Miller Trailer- Mr. Potts requested a motion to approve selling the 1981 Miller Trailer on Municibid starting at \$5,000.00. Dr. Wagner made a motion to approve the sale of the 1981 Miller Trailer on Municibid; Mr. Tobias seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

SEWER/ WATER/ BERN TOWNSHIP MUNICIPAL AUTHORITY

No report. Mrs. Reed stated the sinkhole on Riverview Avenue will be paved once the repair has settled.

SOLID WASTE ADVISORY COMMISSION

No report. Mr. Potts stated he is waiting for the signed contract from DEP.

ADMINISTRATION

Acknowledgment of Ag Security Applications for 2023- None received.

Discussion/Approval of the 2024 Non-Uniformed Minimum Municipal Obligation Worksheet- Mr. Potts stated that the 2024 Non-Uniformed Minimum Municipal Obligation will be \$79, 997.00 which is \$210.00 less than the 5-year plan. Mr. Thompson made a motion to approve the 2024 Non-Uniformed Minimum Municipal Obligation; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Discussion/Approval of the 2024 Uniform Minimum Municipal Obligation Worksheet- Mr. Potts stated that the 2024 Uniform Minimum Municipal Obligation is \$403,411.00 which is \$2,827.00 less than the 5-year plan. Mr. Thompson made a motion to approve the 2024 Uniform Minimum Municipal Obligation; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Discussion/ Approval to Appoint Jim Colflesh to the Planning Commission- Mr. Thompson made a motion to appoint Jim Colflesh to the Planning Commission; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Discussion/ Approval to Appoint Jeff Piccioni to the Alternate Position for the Planning Commission- Dr. Wagner made a motion to appoint Jeff Piccioni to the Alternate Position for the Planning Commission; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Discussion/ Recommendation of Riveredge Property Liquor License Application- Atty. Matthew Rossi introduced his clients Ajay Shaw and Anker Shaw and went over what the plans are for the Riveredge. The new owners would like to restore it to a Special Events and Banquet Facility and would like to have a liquor license. Atty. Rossi stated he doesn't want to waste time and money on the liquor license application if the Township is going to object. Dr. Wagner asked if there would be a significant renovation of the property and inn. Mr. Shaw detailed what they have already done and what they intend to do. Atty. Dietrich suggested they speak with the

Township Zoning Officer because changes have been made to the zoning district and they should be sure the intended uses comply. The owners are also looking into other uses for the former Silo.

Discussion/ Approval of Building Addition Bid/ Project Schedule- Mr. Potts detailed the following schedule...

10/4/23 Bid documents will be available.

10/19/23 Pre-bid Meeting.

10/20/23 The building will be available to potential bidders for inspection.

10/31/23 Public Bid Opening.

11/6/23 Bids will be awarded by the Supervisors.

11/7/23 Letters of intent will be issued to successful bidders.

Construction is slated to start in March 2024 and be completed in November 2024.

Mr. Thompson made a motion to approve the Building Addition Bid/ Schedule; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Discussion of 1530 Palisade Drive 2023 Tax Bill- No action.

Discussion of Budget Workshop Meetings- Mr. Potts recommended scheduling Budget Workshop Meetings and the Supervisors will provide him with some possible dates.

The Next Supervisor's meeting will be held on Tuesday, October 3, 2023 at 7:00 p.m.

ADJOURNMENT

Mrs. Reed adjourned the meeting at 8:25 p.m.

EXECUTIVE SESSION

No action will be taken.

Respectfully submitted,

Diane DeJesus,
Secretary/Treasurer

