

**TOWNSHIP OF BERN  
BERKS COUNTY, PENNSYLVANIA**

November 1, 2021

**SUPERVISORS MEETING**

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

**STAFF PRESENT:** Brian Potts, Township Manager  
Diane DeJesus, Secretary/Treasurer  
Wesley Waugh, Chief of Police  
Keith Mooney, 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**

Dr. Wagner moved to approve the Consent Agenda, as presented, which included the minutes of the October 5, 2021 Supervisors Meeting and to accept the finance report, subject to audit and approve payment of bills on the list, seconded by Mr. Thompson. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**FINANCE REPORT**

Balances as of November 1, 2021: General Fund: \$2,161,536.84, State Account: \$459,249.21, PLGIT: \$67,053.49, Certificate of Deposits: \$557,414.64, Expenses: \$50,325.84. Treasurer's Report accepted subject to audit.

**PUBLIC COMMENT**

Terry Sroka from the Reading Airport stated he was concerned about the SunCap Conditional Use Hearing and the required FAA documentation for air space review concerning the building height, but he had spoken with Tom Ludgate prior to the meeting who informed him that all the documents have been completed.

## **PUBLIC HEARING**

Mrs. Reed called a Conditional Use hearing for SunCap at 7:02PM, which was conducted by Atty. Mooney and minutes were taken by a court appointed stenographer. Mrs. Reed reconvened the meeting at 7:24PM.

## **ORDINANCES/ RESOLUTIONS**

**Discussion/ Approval to Advertise Subdivision & Land Development Plan Submission Requirements Ordinance-** Dr. Wagner made a motion to approve advertising the Subdivision & Land Development Plan Submission Requirements Ordinance; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried. Atty. Mooney stated that the Planning Commission as well as the Berks County Planning Commission will have to be given opportunity to review it as well as the Commercial Parking Ordinance prior to the Supervisors voting.

**Discussion/ Approval to Advertise Commercial/ Industrial Minimum Driveway Width Ordinance-** Dr. Wagner made a motion to approve advertising the Commercial/ Industrial Minimum Driveway Width Ordinance; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval to Advertise Commercial Parking Requirements Ordinance-** Dr. Wagner made a motion to approve advertising the Commercial Parking Requirements Ordinance; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval of Wireless Communication Facility Permit & License Fee Resolution-** Dr. Wagner made a motion to approve advertising the Wireless Communication Facility Permit & License Fee Resolution; 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.

## **PUBLIC SAFETY & SERVICES**

### **Fire Company**

**Greenfields Fire Co.-** Mr. Hinkle stated that the Township has received their report and also received a report from Mount Pleasant Fire Company.

### **Emergency Medical Services**

No reports.

### **Emergency Management**

Mr. Hinkle provided his report to the Board.

## **Police Department**

Chief Waugh provided his report to the Board.

**Discussion/ Approval to Accept Bids for the 2011 Dodge Charger, 2013 Dodge Charger and 2016 Dodge Charger-** Chief Waugh stated that the bids has been provided for the three vehicles placed for auction on Municibid and that the bid for the 2011 Dodge Charger is \$5,300.00, the 2013 Dodge Charger is \$6,100.00 and the 2016 Dodge Charger is \$8,300.00. Chief Waugh requested a motion to accept the bids and if the bidder fails to purchase permission to move on to the second highest bidder etc. without having to come back to the Board for approval. Dr. Wagner made a motion to approve accepting the bids on each of the three vehicles and to grant permission to move on to the next highest bidder if the highest bidder drops out; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

## **PLANNING/ZONING/CODE ENFORCEMENT**

### **Engineer**

Mr. Morey provided his report to the Board.

### **Planning Commission**

**Discussion/ Approval of Section 154-26.D(3) Driveway Location Waiver for Wentzel/ Schaeffer Sketch Plan for Record-** Mr. Potts stated that the Planning Commission recommended approval of the waiver, but he disagreed with their recommendation because of several safety issues and Township Code specifies that a driveway needs to be a minimum of 60 feet from an intersection. Mr. Morey informed the Board that SSM made the recommendation to move it. Mr. Potts stated that there were concerns about grade and the possibility of needing switchbacks for the driveway. Mr. Potts also stated that he visited the property and the grade only drops off two feet to the property line so it's not that much of a hill to overcome. Dr. Wagner made a motion to deny approval of the Section 154-26.D(3) Driveway Location Waiver for Wentzel/ Schaeffer Sketch Plan for Record; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval of the Wentzel/ Schaeffer Sketch Plan for Record-** Mr. Potts stated that the Planning Commission recommended approval of the plan based on the SSM October 12, 2021 review letter. Dr. Wagner made a motion to approve the Wentzel/ Schaeffer Sketch Plan for Record based on the SSM October 12, 2021 review letter and that the driveway be moved 60 feet from the intersection; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval of Kauffman Residence Stormwater Agreement-** Mr. Potts stated that the agreement has been prepared by Atty. Mooney. Mr. Thompson made a motion to approve the Kauffman Residence Stormwater Agreement; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval of Gehret Residence Stormwater Agreement-** Mr. Potts stated that the agreement has been prepared by Atty. Mooney. Mr. Thompson made a motion to approve the Gehret Residence Stormwater Agreement; Mr. Thompson Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval of Miller Residence Stormwater Agreement-** Mr. Potts stated that the agreement has been prepared by Atty. Mooney. Mr. Thompson made a motion to approve the Miller Residence Stormwater Agreement; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval of Lockwood Residence Stormwater Agreement-** Mr. Potts stated that the agreement has been prepared by Atty. Mooney. Mr. Thompson made a motion to approve the Lockwood Residence Stormwater Agreement; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval to Issue Letter of Support for the Coral Aviation/ Quest Facility Application to PennDOT Multimodal Transportation Funding Grant-** Dr. Wagner made a motion to approve writing a letter of support from the Township. Mr. Potts asked Atty. Mooney to confirm this would not mean land development approval or building permit approval just strictly a letter supporting the grant application. Atty. Mooney responded yes. Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion of Town Center Overlay District-** Mr. Jim DePetris spoke about the Hartman Farm property and the Town Center Overlay District, the Hartman Family wanting to sell the 60-acre parcel whole and potential development on the property with Penske utilizing 30 acres and a possibility of Costco developing 20 acres. Mr. DePetris also stated there could be 10 acres of retail along the highway. Mrs. Reed inquired about the number of employees Costco would employ and if office space was still planned. Mr. DePetris stated that due to COVID there is no longer a tremendous need for office space with more people working from home and that he could get the employee information. Dr. Wagner asked questions about traffic.

**Discussion of Penske Truck Service and Leasing Project-** Mr. James Gavin, representative for Penske, stated that they were there today to present a more detailed concept to the Board and introduced Mr. Sean Yentsch, Penske Vice-President of Facilities, who spoke about the company, the project and the need for a zoning amendment in order to proceed. Mrs. Reed, Dr. Wagner and asked questions. Mr. Potts asked if they were still considering LERTA. Mr. Yentsch stated that was no longer being pursued. Mr. Morey asked for a breakdown of how the facility will operate.

**Discussion of Penske Body Project-** Mr. Scott Bensinger asked if curbing and sidewalks will be required at the site. Mr. Potts stated road widening and curbing will be required.

**Discussion/ Approval to Refund Remaining Escrow Funds for 2661 Bernville Road Land Development-** Mr. Potts stated that the residue is \$1,851.60. Dr. Wagner made a motion to approve refunding the remaining escrow funds for 2661 Bernville Road; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

### **Time Extensions**

None required.

### **Code Enforcement**

Mr. Pflum provided his report to the Board.

### **STORMWATER MANAGEMENT**

#### **MS4 Stormwater Report**

No report.

### **ROAD DEPARTMENT**

Mr. Potts stated that the newest employee had obtained their Class A license and the second newest employee has a test scheduled for this month. Mr. Potts stated that there will be an ordinance in the near future to place stop signs at the intersection of Mull Avenue and Kercher Avenue.

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

No report.

### **SOLID WASTE ADVISORY COMMISION**

No report.

### **ADMINISTRATION**

**Discussion/ Approval of Animal Rescue League Agreement for 2022-** Mr. Potts stated the agreement remains the same as 2021 and is \$1.00 per resident. Chief Waugh asked if they were assuming the Police Department is responsible to transport stray animals to the ARL. Mr. Potts stated no and the responsibility falls to the residents. Dr. Wagner made a motion to approve the Animal Rescue League Agreement for 2022; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval to Advertise 2022 Budget-** Mr. Potts stated that the 2022 budget is \$4,655,895.00 and does not include a tax increase. Mr. Potts also stated that there will not be any change in the fees for recycling, trash and light district or the fire protection tax. Mr. Potts also stated that the budget is \$53,070.00 over 2021 which is a 1.1 percent increase and was balanced by utilizing \$209,305.00 of the reserve funds. Mr. Eveland asked if there were no changes in any services and Mr. Potts said there were none. Mr. Tobias asked why it was much lower than Mr. Potts's anticipated amount and Mr. Potts stated that the health insurance was less of any increase than anticipated. Dr. Wagner made a motion to approve advertising the 2022 Budget; Mr. Thompson seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

**Discussion/ Approval of the Pension Plan Interest/ Mortality Adjustments-** Mr. Potts stated that the Township has received the actuarial reports for the pension plan from Ron Bittner and due to the market activity of the last two years, the pension plan has gone from distress level 2 to distress level 1. Mr. Potts also stated that Mr. Bittner suggested adjusting the expected interest rate from 7.75% to 7.5% and the mortality table per the new tables developed this year for public sector employees. Mr. Thompson made a motion to approve the Pension Plan Interest/Mortality Adjustments; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

### **EXECUTIVE SESSION**

Mrs. Reed temporarily adjourned the meeting at 8:40PM for an executive session to discuss the SunCap Conditional Use Application and reconvened the meeting at 9:14PM. Refer to the Findings of Facts and Conclusions document for the decision.

**Next Supervisor's meeting will be held on Tuesday December 7, 2021 at 7:00 PM.**

### **ADJOURNMENT**

Mr. Thompson made a motion to adjourn the meeting at 9:15 PM; Dr. Wagner seconded. YES: Dr. Wagner, Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

Respectfully submitted,

Diane DeJesus,  
Secretary/Treasurer