

**TOWNSHIP OF BERN**  
**BERKS COUNTY, PENNSYLVANIA**

June 3, 2025

**SUPERVISORS MEETING**

**SUPERVISORS PRESENT:** Irene Reed, Chairperson  
Brian Eveland, Supervisor  
Daniel Tobias, Supervisor  
Jeffrey Thompson, Supervisor

**STAFF PRESENT:** Brian Potts, Township Manager  
Diane DeJesus, Secretary/Treasurer  
Keith Mooney, Esquire  
Brett Forry, Chief of Police  
Kent Morey, Engineer  
Bradley Pflum, Code 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, seconded by Mr. Eveland **YES:** Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

**FINANCE REPORT**

Balances as of June 3, 2025, General Fund: \$3,456,467.34, State Account: \$769,981.77, PLGIT: \$76,838.99, Certificate of Deposits: \$597,313.37, Expenses: \$50,225.35.

Treasurer's Report accepted subject to audit.

**PUBLIC COMMENT**

Beverly Miller, 1105 Stinson Road- Mrs. Miller's concern is regarding the Penske project. Her understanding is the new road will be Township owned, why should residents be paying for the maintenance of this road, when this will be primarily used by Penske? Mrs. Miller asked about the traffic pattern for Faller Lane, Mr. Potts responded this road will be a two-lane road. Mrs. Miller questioned why this project is being built in a residential area. Mr. Potts responded it's based on property owners selling their property and buyers wanting to develop the area. Mrs. Reed added this entire tract was once the Berks Airport before the Second World War, and then after that was zoned commercial.

Beth Burkovich, 1076 West Leesport Road – Ms. Burkovich’s concern was also with the Penske project. Concern with crime. Back in September 2024, at a Bern Planning Commission Meeting, a question was asked about all the fencing needed around the property at the Reading facility and it was stated by Representative Shawn Yentz of Penske, that at the Reading facility there was a large amount of catalytic converter thefts. Which brings the concern that crime will be brought to our area and our community which will affect the general health, safety and welfare to our community. Also, Bern Township Zoning Ordinance 184-46 A1 states industrial uses which shall be carried out in a completely enclosed building. Ms. Burkovich wants to know, with this being stated very clearly, how can this plan be approved? She has concerns about the toxic chemicals, pollution and noise that will come from this facility. Ms. Burkovich is also concerned with the lack of pedestrian access shown on the plan for the construction of the new road at West Leesport Road and Faller Lane. There is one Municipal Park in Bern Township and the residents who live along West Leesport Road, have no safe pedestrian access to the park. The intersection needs to have proper pedestrian and ADA access included in the preliminary plan for Penske. Ms. Burkovich noted that from the May 2024 Bern Township Planning Commission Meeting, it was reflected that a resident asked the Penske representative, Jason Herr, if he would want a facility like this across from his residence and he stated no.

### **TOWNSHIP MANAGER**

The Supervisors received a copy of the report.

### **PUBLIC SAFETY & SERVICES**

**Muhlenberg Township Fire and Rescue-** Supervisors received a copy of the report.

Chief Lupco stated there were 37 calls for the month, 1 major vehicle accident. Otherwise, there were no other major incidents. Mrs. Reed commended Chief Lupco on his reports.

**Emergency Medical Services** – Supervisors received a copy of the report.

**Emergency Management** – Supervisors received a copy of the report.

**Police Discussion / Approval to send Officer to Accident Reconstruction Training -** Chief Forry is requesting permission for Officer Mazza to attend this training. Mr. Thompson made a motion to approve sending Officer Mazza to Accident Reconstruction Training, seconded by Mr. Eveland. **YES:** Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

**Police Discussion / Approval to send Officer to Field Training Officer Training** – Chief Forry is requesting permission for Officer O’Brien to attend this training. Mr. Thompson made a motion to approve of sending Officer O’Brien to Field Training Officer Training, seconded by Mr. Eveland. **YES:** Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

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

**Engineer** – The Supervisors received a copy of the report.

### **Planning Commission**

**Discussion / Approval of Penske Truck & Collision Center Preliminary Land Development Plan** – Mr. Potts stated the Planning Commission recommended approval of the plan subject to the remaining items noted in the May 11, 2025, SSM review letter. Mr. Eveland made a motion to approve the Penske Truck & Collision Center Preliminary Land Development Plan, seconded by Mr. Thompson. **YES:** Mr. Eveland, Mr. Thompson, and Mrs. Reed. **NO:** Mr. Tobias. Motion carried.

**Discussion / Approval of Bethany Romanian Church Final Land Development Plan** – Mr. Potts stated the Planning Commission recommend approval of this plan subject to the items noted in the SSM review letter dated May 7, 2025, and for a note to be placed on the plan that the building will have a sprinkler system. Mr. Tobias made a motion to approve Bethany Romanian Church Final Land Development Plan, seconded by Mr. Thompson. **YES:** Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

**Discussion / Approval of the Lookout Subdivision Planning Modules** – Mr. Potts stated that the modules are prepared for your approval and the Planning Commission has reviewed and approved them. Mr. Thompson made a motion to approve Lookout Subdivision Planning Modules, seconded by Mr. Eveland. A question was asked what is the Lookout Subdivision? Mr. Potts responded this is located on Rickenbach Road near Cross Keys Road. Mrs. Reed added this is the large tract, which is located near the road, for residential use. **YES:** Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

**Discussion / Approval of the Reading Airport Salt Storage Building Stormwater Agreement** - Mr. Potts stated he did not realize this was discussed last month. This can be removed from the agenda.

**Discussion / Approval of the Bethany Romanian Church Stormwater Agreement** – Mr. Potts stated that Atty. Mooney prepared the agreement, and this is for your consideration. Mr. Thompson made a motion to approve the Behtany Romanian Church Stormwater Agreement, seconded by Mr. Eveland **YES:** Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

Mrs. Reed stated several years ago for another project, there was an illegal opinion written, she reviewed the main points of this summary. According to Pennsylvania law, the Municipal Planning Code severely limits the powers of the Board of Supervisors in reviewing the Land Development Plan. The Township must act on a plan within a set time period or else it is automatically approved. A Township cannot deny a plan because the residents don't like it. A plan cannot be denied based on non-specific standards such as "potential danger to health, safety and welfare". If a plan meets all the requirements of the land development ordinances, it must be approved. Pennsylvania does not allow a Municipality to deny a land use plan, because of

concerns about traffic, safety or tax status. The Township cannot tell you or any other landowner who you can or cannot sell your property to. Mrs. Reed asked Atty. Mooney if he had anything to add to this statement, Atty. Mooney stated no.

### **Time Extensions**

**Penske Truck Collision and Repair Center - not needed.**

**BCTC Storage Building - Mr. Potts** stated this plan expires July 7, 2025. Mr. Potts stated this is listed on this meeting's agenda because of the July 4<sup>th</sup> holiday, would rather have you approve to deny the plan now, so this allows time to prepare the letter for the Developer. Mr. Thompson moved that if an extension of time has not been granted by the applicant, prior to the expiration date of July 7, 2025, that the plan be rejected for the reasons set forth in the latest Engineering review letter, seconded by Mr. Tobias. **YES:** Mr. Eveland, Mr. Tobias, Mr. Thompson and Mrs. Reed. Motion carried.

### **Code Enforcement**

The Supervisors have a copy of the report.

**Discussion / Approval to Refund Permit Fee for 528 Boeing Avenue - Mr. Potts** added this was a refund for a solar panel job that was cancelled, the amount of the refund is \$187.06. Mr. Thompson made a motion to approve the refund of the permit fee for 528 Boeing Avenue, seconded by Mr. Mr. Tobias **YES:** Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

### **STORMWATER MANGEMENT**

**MS4 Stormwater Report – Nothing to report.**

**Discussion / Approval of MS4 Steering Committee Resolution and Cost Sharing & Cooperation Agreement – Mr. Potts** stated that Bern Township is a MS4 Township. This means the Township is obligated to follow DEP's regulations for managing stormwater within our Township. Part of these obligations is that we need to educate the public and get the public involved with stormwater management, so that is why you see articles in the Township Newsletter, to honor our obligations to DEP. As part of that effort, the Township belongs to the Berks County MS4 Steering Committee, which is a combination of multiple municipalities that are in the same position as us with the requirement to educate and involve the public. This year's membership is \$900.00. Mr. Thompson made a motion to approve the membership fee, seconded by Mr. Eveland **YES:** Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

## ROADS

The Supervisors have a copy of the report.

Mr. Potts stated that Mr. Turner was excused from the meeting to oversee the contractors working on the road improvement project.

## SEWER/WATER/BERN TOWNSHIP MUNICIPAL AUTHORITY

Nothing to report.

## SOLID WASTE ADVISORY COMMISSION

Mr. Potts reported that the Township will be receiving \$118,437.27 from DEP for our Yard Waste Grant. The Township had to spend that money first, turn in receipts and then they pay us back. That was the amount they approved. As of now, the Township is \$20,207.83 under budget on this project. We did not go over budget, and some money was actually saved. This month we are going to try to get an amendment to the grant to shift money around to put more money towards public education and try to capture more of the \$28,000.00 that is sitting there for us.

We conducted our public bid opening for the marketing and processing of recyclable materials. We received two bids, one from Cogle's and one from JP Mascaro. JP Mascaro right now is doing the marketing and processing of the recyclables. This was conducted in two different ways, the first price is based on Dual-stream, unautomated, no glass. Cogle's is \$35,550.00 for 5 years. JP Mascaro is \$88,062.00 for 5 years. Dual-stream with glass, Cogle's is \$48,050.00 and JP Mascaro is \$88,062.00. Single-stream without glass, Cogle's is \$43,992.00 and JP Mascaro is still at \$88,062.00. Single-stream with glass, Cogle's is \$56,492.00 and JP Mascaro is \$88,062.00. Tonight is not to decide Dual-Stream or Single-Stream, with automated collection. Cogle's is the low bidder and Atty. Mooney reviewed their bid documents. Mr. Potts suggested that the Board award the processing and marketing of the recyclables to Cogle's. The bid for recycling collection is due at the end of August, at this time we will find out if the automated means will save money. Mr. Thompson made a motion to award the processing and marketing of recyclables to Cogle's, second by Mr. Tobias YES: Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

## ADMINISTRATION

**Discussion / Approval of CD Reinvestment-** Mr. Potts stated this is our large CD that matured as of May 28, 2025. We researched several banks for interest rates. Tompkins has the best percentage rate at 4.35% for 9 months. First National was 4.1% for 6 months. The others were 4% or less for smaller terms. Mr. Potts recommended Tompkins for 9 months at 4.35 %. Mr. Thompson made a motion to renew the CD investment with Tompkins Community Bank, seconded by Mr. Tobias YES: Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

**Discussion / Acknowledgement of Receipt of 2023 Pension Financial Statements for Uniform and Non-Uniforms Plans-** Mr. Potts stated that Police Pension Plan had a positive increase in that position in 2024 by \$770,205.00. The Non-Uniformed Pension Plan had an increase of \$155,434.00. I would recommend to the board to vote to accept the reports. Mr. Thompson made a motion to accept the reports, seconded by Mr. Tobias YES: Mr. Eveland, Mr. Tobias, Mr. Thompson, and Mrs. Reed. Motion carried.

**Next Meeting-** The next meeting will be held on Tuesday, July 1, 2025, at 7:00 PM at the Bern Township Municipal Building.

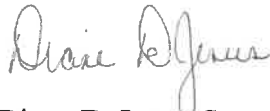
**EXECUTIVE SESSION**

This will be for a discussion of a personnel matter and there will be a vote after the Executive Session.

**ADJOURNMENT**

The meeting was adjourned at 7:28 PM.

Respectfully submitted,



Diane DeJesus, Secretary/Treasurer